

Meeting Date: Tuesday 26 November 2019
Location: Civic Hall, 1 Devlin Street, Ryde
Time: 7.00pm

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

Note: Councillor Brown arrived at the meeting at 8.15pm during Public Participation on Items Not Listed on the Agenda. He was not present for consideration or voting on Item 3 and Public Participation on Items Listed on the Agenda.

Note: Councillor Kim left the meeting at 12.50am and did not return. He was not present for consideration or voting on Confidential Items 20 and 5(4).

Note: Councillor Zhou left the meeting at 1.00am and did not return. He was not present for consideration or voting on Confidential Item 5(4).

Note: Councillor Lane left the meeting at 1.05am and did not return. He was not present for consideration or voting on Confidential Item 5(4).

Apologies: Nil.

Leave of Absence: Councillor Moujalli.

Staff Present: General Manager, Director – Customer and Community Services, Director – Corporate Services, Director – City Planning and Environment, Director – City Works, General Counsel, Executive Manager – Strategy and Innovations, Chief Financial Officer, Manager – Communications and Engagement, Manager – Corporate Governance, Manager – Community and Ranger Services, Manager – Urban Strategy, Development Contributions Coordinator, Internal Auditor, External Auditor, Chair – Audit, Risk and Improvement Committee, External Auditor, Senior Coordinator – Communications, Communications Coordinator, Internal Communications Coordinator, Community Engagement Officer, System Support Officer, Executive Assistant to Director – Customer and Community Services, Civic Services Manager, Civic Support Officer and Civic Support Assistant.

PRAYER

Senior Pastor Handel of the Ryde Baptist Church was present and offered prayer prior to the commencement of the meeting.

NATIONAL ANTHEM

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

DISCLOSURES OF INTEREST

The Mayor, Councillor Laxale disclosed a Less than Significant Non-Pecuniary Interest in Item 4(3) – Small Grants – Allocation of Funding Round 2, 2019 for the reason that North Ryde Christian Church members are known to him.

TABLING OF PETITIONS

No Petitions were tabled.

PRESENTATION OF CERTIFICATE OF APPRECIATION TO LOCAL AMBASSADOR, ALEX WILKINSON

The Mayor, Councillor Laxale presented a Certificate of Appreciation to Alex Wilkinson for his outstanding achievements in football with recently being appointed Captain of A-League team, Sydney FC.

Note: Alex Wilkinson made a short speech to Council thanking the City of Ryde.

ORDER OF BUSINESS

The Mayor, Councillor Laxale advised the meeting that Item 3 – Items Put Without Debate would be considered before the commencement of Public Participation.

COUNCIL REPORT

3 ITEMS PUT WITHOUT DEBATE

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

That Council adopt Items 1, 2, 4, 4(3), 4(4), 5, 5(1), 5(3), 6, 6(1), 6(3), 7, 9, 11, 12, 14, 15, 16, 17, 18, Notice of Motion 2, Notice of Motion 3, Notice of Motion 4, Notice of Motion 5, Notice of Motion 7 and Notice of Motion 15 on the Council Agenda as per the recommendations in the reports.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

1 CONFIRMATION OF MINUTES - Extraordinary Council Meeting held on 29 October 2019

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

That the Minutes of the Extraordinary Council Meeting 13/19, held on 29 October 2019 be confirmed.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

2 CONFIRMATION OF MINUTES - Extraordinary Council Meeting held on 12 November 2019

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

That the Minutes of the Extraordinary Council Meeting 14/19, held on 12 November 2019 be confirmed.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

4 **REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 8/19 held on 12 November 2019**

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

That Council determine Items 3, 4 and 5 of the Works and Community Committee report 8/19, held on 12 November 2019 noting that Items 1, 2, 6, 7 and 8 were dealt with by the Committee within its delegated powers.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

3 **SMALL GRANTS – ALLOCATION OF FUNDING ROUND 2, 2019**

Note: The Mayor, Councillor Laxale disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that North Ryde Christian Church members are known to him.

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

(a) That Council endorse funding to the following organisations in round 2 of the 2019 Small Grants as follows:

Organisation	Project	Funding Requested	Funding Granted	Project Description
Scout Association of Australia NSW Branch	District Rally 2020	\$250	\$250	An annual get together for the Ryde district scout group youth members.
Stryder Incorporated	Service promotion to CALD groups	\$1,500	\$1,500	Translated promotional content and service information for the Korean, Chinese and Farsi communities.

North Ryde Christian Church	Carols in the Park	\$2,000	\$2,000	Outdoor Christmas carols event for local families.
The Shepherd Centre for Deaf Children	Confident Kids	\$2,000	\$2,000	A social skills group therapy program for children in Ryde with hearing impairments.
TOTAL		\$5,750	\$5,750	

- (b) That funding of \$17,000 is available within the Community and Ranger Services Community Grants budget for round 2 of the 2019 Small Grants to fund the recommended applications totaling \$5,750. The remaining funds of \$11,250 be allocated to round 1 of the 2020 Community Grants.
- (c) That the successful grant applicants be informed in writing of the outcome of their applications.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

4 RYDE YOUTH COUNCIL TERMS OF REFERENCE

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

That consideration of this Item be deferred to the Works and Community Committee Meeting to be held on Tuesday, 11 February 2020.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

5 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE MEETING 7/19 held on 12 November 2019

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

That Council determine Items 1, 3 and 4 of the Finance and Governance Committee report 7/19, held on 12 November 2019 noting that noting that Item 2 – Items Put Without Debate is not required to be considered by Council.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

1 CONFIRMATION OF MINUTES - Finance and Governance Committee Meeting held on 8 October 2019

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

That the Minutes of the Finance and Governance Committee 6/19, held on 8 October 2019, be confirmed.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

3 REQUEST FOR TENDER - COR-RFT-04-19 AIR HANDLING UNITS FOR THE COMPETITION POOL AT THE RALC

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

- (a) Pursuant to clause 178 (1) (a) of the Local Government (General) Regulations 2005, Council accept the tender from ARA Mechanical, trading as Air Conditioning Engineering Services (ACES) Pty Ltd for the supply, install and commission of air handling units at the Ryde Aquatic Leisure Centre to the amount of \$825,800 (excluding GST).
- (b) That Council delegate to the General Manager the authority to enter into a contract with ARA Mechanical, trading as Air Conditioning Engineering Services (ACES) Pty Ltd on the terms contained within the tender and for minor amendments to be made to the contract documents that are not of a material nature.
- (c) That Council advise all the respondents of Council's decision.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

6 REPORT OF THE RYDE CENTRAL COMMITTEE MEETING 7/19 held on 12 November 2019

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

That Council determine Items 1 and 3 of the Ryde Central Committee report 7/19, held on 12 November 2019 noting that Item 2 – Items Put Without Debate is not required to be considered by Council.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

1 CONFIRMATION OF MINUTES - Ryde Central Committee Meeting held on 8 October 2019

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

That the Minutes of the Ryde Central Committee Meeting 6/19, held on 8 October 2019, be confirmed.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

3 RYDE CENTRAL PROJECT UPDATE

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

That Council receives and notes this report.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM.

7 INVESTMENT REPORT AS AT 31 OCTOBER 2019

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

That Council endorse the Investment Report as at 31 October 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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

9 2018/2019 AUDITED FINANCIAL STATEMENTS - PRESENTATION BY AUDITORS

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

- (a) That in accordance with Section 419 of the Local Government Act 1993, Council receive and note the Auditor's Reports on the 2018/19 Annual Financial Statements for the year ended 30 June 2019.
- (b) That any public submissions on the 2018/19 Financial Reports be referred to Council's auditors, the Audit Office of NSW.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

11 ANNUAL REPORT ON CODE OF CONDUCT COMPLAINTS STATISTICS

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

- (a) That Council note the Annual Report on Code of Conduct Complaint Statistics for the period from 1 September 2018 to 31 August 2019.
- (b) That Council provide these statistics to the Office of Local Government as required by the Model Code of Conduct – Complaints Procedure.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

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

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

That the report on the Clause 4.6 variations 1 July to 30 September 2019 be received and noted.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

14 LAND CLASSIFICATION REPORT - COMMUNITY CENTRE LAND IN PROPOSED LOT 8 IN THE PROPOSED STRATUM SUBDIVISION OF 15 HALIFAX STREET, MACQUARIE PARK (LOT 104 DP 1224238)

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

That Council endorses that future Lot 8 in Stratum Subdivision of 15 Halifax Street, Macquarie Park (LOT 104 in DP1224238) be classified as operational land.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

15 146 BOWDEN STREET STORMWATER DRAINAGE AND ROAD WORKS - EXEMPTION FROM TENDERING

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

(a) That Council, having regard to the information put before it, is satisfied that there are extenuating circumstances and that inviting tenders will not achieve a satisfactory result.

(b) That Council does not invite tenders under Section 55 (3) (i) of the Local Government Act, 1993 for the 146 Bowden Street Stormwater Drainage and Road works.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

16 REQUEST FOR TENDER - COR-RFT-09/19 – KINGS PARK LANDSCAPE, CIVIL AND PLAYGROUND WORKS

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

- (a) That Council, pursuant to clause 178 (1) (a) of the Local Government (General) Regulations 2005, Council accepts the tender from Statewide Civil Pty. Ltd., for the Kings Park Landscape, Civil & Playground Works for the lump sum amount up to \$1,891,322.68 (excluding GST) and varied to address the inclusion of some provisional items.
- (b) That Council delegate to the General Manager the authority to enter into a contract with Statewide Civil Pty. Ltd., on the terms contained within the tender and for minor amendments to be made to the contract documents.
- (c) That Council advises all the respondents of Council's decision.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

17 REQUEST FOR TENDER - COR-RFT- 5/19 - BANJO PATERSON PARK SEAWALL CONSTRUCTION

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

- (a) That Council, pursuant to clause 178 (1) (a) of the Local Government (General) Regulations 2005, accepts the tender from Earthtec Pty Ltd for COR-RFT-05/19 lump sum up to the amount of \$1,161,271.70 and varied to address the inclusion of some provisional items.
- (b) That Council delegate to the General Manager the authority to enter into a contract with Earthtec Pty Ltd for COR-RFT-05/19 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 advises all the respondents of Council's decision.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

18 REQUEST FOR TENDER - COR-RFT-6/19 – PITTWATER ROAD UPGRADE (HIGH STREET TO FIELD OF MARS)

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

- (a) That Council, pursuant to clause 178 (1) (a) of the Local Government (General) Regulations 2005, accepts the tender from CA&I Pty Ltd for COR-RFT-06/19 (optional stage included) for the lump sum amount up to \$3,837,093 and varied to address the inclusion of provisional items.
- (b) That Council delegate to the General Manager the authority to enter into a contract with CA&I Pty Ltd for COR-RFT-06/19: Pittwater Road Upgrade (High Street to Field of Mars) 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 advises all the respondents of Council's decision.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

NOTICES OF MOTION

**2 LIGHTING WITHIN CHARITY CREEK CASCADES PLAYGROUND -
Councillor Roy Maggio**

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

- (a) That Council provide suitable lighting within Charity Creek Cascades playground for safety measures.
- (b) That the lighting installation be discussed with the nearby residents with one option being to install a flood light on a pole facing the play area.
- (c) That the project be funded by General Revenue and completed by early 2020.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

3 RYDE PARK FIELD 3 - Councillor Roy Maggio

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

The most recent Council resolution in regards to Ryde Park Field 3 is from April 2018 outlining active recreation that Council in conjunction with the cricket association and the users of that field be consulted in considering the installation of a junior cricket pitch.

- (a) That the item be brought to the Sports Advisory Committee for further discussions.
- (b) That implementing of this project, Council seek the association and Cricket NSW for grant funding of Ryde Park and Meadowbank Park synthetic cricket pitches.
- (c) That Council funding be out of the Open Space budget.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

4 MARSDEN HIGH SCHOOL - CELEBRATING 60 YEARS OF EDUCATION - Councillor Roy Maggio

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

- (a) That Council congratulates Marsden High School in celebrating 60 years of education.
- (b) That Council invite the Principal and the P&C Association to join us at a suitable Council Meeting in 2019 to commemorate this milestone and present the school with a plaque.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

5 DISABLED PARKING SPOT - 1 HEPBURN AVENUE, GLADESVILLE - Councillor Roy Maggio

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

That Council investigate a solution for a disabled parking spot at 1 Hepburn Avenue, Gladesville to accommodate the residents ability in accessing her family home.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

7 ELECTRIC VEHICLE CHARGING IN THE CITY OF RYDE - Councillor Penny Pedersen

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

(a) That the City of Ryde staff produce an information sheet for local business, residents and all future development applicants regarding the installation of electric vehicle charging stations across the City of Ryde.

(b) That this information sheet be:-

- i. Routinely made available to all future commercial and multi-dwelling, development applicants.

- ii. Posted on the City of Ryde website and a media release be prepared to state Council's support for increased EV charging installation across the City of Ryde.

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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

15 CERTIFICATE OF APPRECIATION – Councillor Dr Peter Kim

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

RESOLUTION: (Moved by Councillors Maggio and Clifton)

- (a) That Council formally acknowledge all staff involved in organising the Friendship City Reception for the Delegation from the City of Jongno, South Korea.
- (b) That a Certificate of Appreciation be awarded to the Manager – Corporate Governance, Mr John Schanz for his exceptional work in organising the event.
- (c) That the Mayor awards a Certificate of Appreciation to the Harmony Culture Group from West Ryde, Ms Lisa Kim, for organising the hugely successful Korean Senior Festival at the Ryde Civic Centre on 16 November 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, Maggio, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane and Yedelian OAM

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons addressed the Council:-

Name	Topic
Lucy Chen	Item 8 – September Quarterly Review Report – Four Year Delivery Program 2019-2023 and 2019/2020 Operational Plan. Community Need
Daniel Wong	Item 13 – Land Classification Report – 21 Affordable Housing Apartments on land known as 101 – 107 Waterloo Road Macquarie Park
Tosko Vasilev	Item 13 – Land Classification Report – 21 Affordable Housing Apartments on land known as 101 – 107 Waterloo Road Macquarie Park
Rossie Vasileva	Item 13 – Land Classification Report – 21 Affordable Housing Apartments on land known as 101 – 107 Waterloo Road Macquarie Park
Nancy Choi	Notice of Motion 11 – Drought Relief
Gilbert de Chalain (representing UT 65 Pty Ltd)	Confidential Item 20 – Offer to enter into a Voluntary Planning Agreement from HDC Planning on behalf of ‘UT 65 Pty Ltd’ to provide material public benefits under Council’s Macquarie Park incentive scheme in association with development of 63-71 Waterloo Road, Macquarie Park

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

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

RESOLUTION: (Moved by Councillors Lane and Yedelian OAM)

That the speakers who submitted a Request to Address on an Item previously considered by the Works and Community Committee Meeting 8/19 held on 12 November 2019 be allowed to address the meeting, the time being 7.48pm.

Record for the Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following person addressed the Council:-

Name	Topic
Karen Alden Waud (representing West Ryde Rovers/Eastwood Ryde Netball)	Item 4(5) – Adoption of the Meadowbank and Memorial Park Masterplan and Public Exhibition of Meadowbank Park Plan of Management

Name	Topic
Buckley Findlay (representing GHFA)	Item 4(5) – Adoption of the Meadowbank and Memorial Park Masterplan and Public Exhibition of Meadowbank Park Plan of Management
Philip Mundy (representing West Ryde Rovers Cricket Club)	Item 4(5) – Adoption of the Meadowbank and Memorial Park Masterplan and Public Exhibition of Meadowbank Park Plan of Management

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

Note: Councillor Brown arrived at the meeting at 8.15pm during Public Participation on Items Not Listed on the Agenda.

The following persons addressed the Council:-

Name	Topic
Stavi Tsiouostas	Council's responsibility as a regulatory for compliance and customer service to its ratepayers as example, pertaining to the works on public reserve and its poor workmanship requires Council is obligated to repair. Other incidental matters
Guanjing Ruan	Community perception to Council. Comments on Council's performance and proposals this year
Jenny Bao	Traffic and Parking
Gordon Zhi	Traffic and Parking
Edward Galoustov spoke on behalf of Elina Solovel	Traffic on the corner of Shaftsbury Road and Hillview Lane in Eastwood. Cars turning right either from Shaftsbury Road into Hillview Lane or from Hillview Lane onto Shaftsbury Road they block the traffic
Patrick Harsas	Community Harmony
George Pahali	Progress to date of lease renewal for Aussie Bites café in Trim Place
Faye Lin	Improving the processes, efficiency and transparency
Paul Williamson	261 Pittwater Road is subject to a Complying Development Certificate that may not be valid. It is 90% built. I want the work order lifted so I can complete and move in to stop my current financial position getting any worse
Ivan Elek	257 Pittwater Road, North Ryde. Ivan and Georgina Elek owners 99% completed new home via a Complying Development Certificate approval and have received court documents for a Class 4 action against us. Firstly the certifier and secondly we as owners. We are no closer to a resolution since 21/08/19 and are waiting for a response from Council for our report if it will satisfy the legal team
Jennifer Buckley	Lack of communication by Council
Terry Neville	Heritage Study 2019

Name	Topic
Janette Neville	Heritage Study 2019
Trevor Campbell	Proposed Wharf Road Conservation Area
Kathleen Campbell	Heritage Conservation Area (Wharf Road) proposal
Paul Margereson	HCA in Chatham Road and Darvall Park Areas
Pei Cheng	2019 Heritage Review
Scott McKenzie (representing other residents of Ryde)	Heritage Study 2019
Anne Johnson	Heritage Item
Janelle Ingham	In favour of the Darvall Estate and Chatham Road Heritage Conservation areas
Damian Jeffree	Air Pollution

Note: Kye Won was called to address Council but was not present in the Chamber.

Note: Stavi Tsiouostas circulated a photograph of Kenneth Street to Councillors and a copy is ON FILE.

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

RESOLUTION: (Moved by Councillors Yedelian OAM and Maggio)

That additional speakers who submitted a Request to Address Council on Items not listed on the Agenda be allowed to address the meeting, the time being 9.02pm.

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

Record of Voting:

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

Against the Motion: Councillors Clifton, Gordon and Purcell

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

Note: Councillor Clifton left the meeting at 9.15pm during Public Participation on Items Not Listed on the Agenda.

The following person addressed the Council:-

Name	Topic
Novella Wilkinson	Heritage Review 2019
Michael Tao	Heritage Review 2019

Name	Topic
Silvestro Lauria	Heritage Review 2019
Guang Zhi	Heritage Review 2019
WeiWei Wang	Heritage Review 2019
Jian Wang	Heritage Review 2019
Leo Lazich	Heritage Review 2019
Andrew Costi	Heritage Review 2019
Doug Steel	Heritage Review 2019
Meeghan Tsihlis	Heritage Review 2019
Qian Wang	Heritage Review 2019
Chris DeBruyne	Heritage Review 2019
Elish James	Heritage Review 2019

Note: Gordon Choi, John Geevarghese, Jerry Wang, Zi Tao and Yang Lu were called to address Council but were not present in the Chamber.

ORDER OF BUSINESS

Note: Council Clifton was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Purcell and Gordon)

That Council now consider the following Items, the time being 9.42pm:-

- **Item 8** – September Quarterly Review Report – Four Year Delivery Program 2019-2023 and 2019/2020 Operational Plan.
- **Item 13** – Land Classification Report – 21 Affordable Housing Apartments on land known as 101 – 107 Waterloo Road Macquarie Park.
- **Notice of Motion 11** – Drought Relief – Councillor Jordan Lane.
- **Item 4(5)** – Adoption of the Meadowbank and Memorial Park Masterplan and Public Exhibition of Meadowbank Park Plan of Management.

For the Motion: Unanimous

COUNCIL REPORTS

8 SEPTEMBER QUARTERLY REVIEW REPORT - FOUR YEAR DELIVERY PROGRAM 2019-2023 AND 2019/2020 OPERATIONAL PLAN

Note: Lucy Chen addressed the meeting in relation to this Item.

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

RESOLUTION: (Moved by Councillors Purcell and Pedersen)

- (a) That the report of the September 2019 Quarterly Review Statement - Four Year Delivery Program 2019 - 2023 and One Year 2019/2020 Operational Plan, *Quarter One, July – September 2019* be received and endorsed by Council.
- (b) That the proposed budget adjustments (including reserve movements) resulting in no net impact on Council's projected Working Capital position of \$4.50 million (as at 30 June 2020) be endorsed by Council.

On being put to the Meeting, Councillor Maggio 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 Brown, Gordon, Kim, Pedersen, Purcell and Zhou

Against the Motion: Councillors Lane, Maggio and Yedelian OAM

13 LAND CLASSIFICATION REPORT - 21 AFFORDABLE HOUSING APARTMENTS ON LAND KNOWN AS 101 - 107 WATERLOO ROAD MACQUARIE PARK

Note: Daniel Wong, Tosko Vasilev and Rossie Vasileva addressed the meeting in relation to this Item.

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

RESOLUTION: (Moved by Councillors Gordon and Pedersen)

That Council endorses that future 21 individual strata/stratum allotments for the 21 affordable housing apartments on the land known as 101-107 Waterloo Road, Macquarie Park (being LOT 4 in DP1046092) be classified as operational land.

Record for the Voting:

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

Against the Motion: Councillors Brown, Lane and Yedelian OAM

NOTICE OF MOTION

11 DROUGHT RELIEF – Councillor Jordan Lane

Note: Nancy Choi addressed the meeting in relation to this Item.

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

RESOLUTION: (Moved by Councillors Lane and Brown)

(a) That Council note:-

- (i) NSW is experiencing one of the most severe droughts on record, with the Central West, Far West and North West regions the worst affected to date.
- (ii) following a resolution at the August 2018 Extraordinary Council meeting, the City of Ryde donated \$20,000 to Rural Aid's 'Buy A Bail' initiative.
- (iii) there have been extreme low inflows (the amount of water entering the river and its storage's) – the past six months have seen the lowest recorded inflows in history. Without imminent inflows, the lack of water will continue to impact water quality and the riverine environment, while curtailing agricultural production.
- (iv) the drought crisis is having devastating effects on regional and rural communities in NSW, the impacts are being felt in all parts of the regional economy, including retail trade and small businesses; and
- (v) The NSW Government recently launched a 'Buy Regional' campaign that promotes purchasing Christmas presents from regional retailers. It is an online hub that showcases regional shops and sellers together in one place, to make it easy for shoppers to find the perfect Christmas gift and support regional NSW.

(b) That the City of Ryde donate \$20,000 to the Country Women's Association of NSW Drought Aid appeal, sourced from the 2019/20 General Revenue.

(c) That the General Manager develop and implement a comprehensive communication plan to advise residents and visitors of how they can assist regional NSW. This will include:-

- (i) using the City of Ryde's on-line communication channels to promote the 'Buy Regional' Campaign in the lead up to Christmas.
- (ii) promote upcoming regional NSW events through the City of Ryde Events team.

Record for the Voting:

For the Motion: Unanimous

Note: Councillor Clifton returned to the meeting at 10.02pm.

COUNCIL REPORTS

**4(5) ADOPTION OF THE MEADOWBANK AND MEMORIAL PARK
MASTERPLAN AND PUBLIC EXHIBITION OF MEADOWBANK PARK
PLAN OF MANAGEMENT**

Note: Karen Alden Waud (representing West Ryde Rovers/Eastwood Ryde Netball), Buckley Findlay (representing GHFA) and Philip Mundy (representing West Ryde Rovers Cricket Club) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Maggio and Yedelian OAM)

- (a) That Council adopts the Meadowbank Park and Memorial Park Masterplan, as prepared by Aspect Studios and dated July 2019.
 - (i) Stage 4 – High priority.
 - (ii) Stage 6 – High priority.
- (b) That Council refer the draft Meadowbank Park Plan of Management dated July 2019 to the Minister for Lands and Forestry for approval to place on public exhibition as per the requirements of the Crown Lands Act (2016). Once approved the document be placed on exhibition and that submissions be received for a period of 42 days.
- (c) That a subsequent report be brought back to Council at the conclusion of the Meadowbank Park Plan of Management public exhibition period.
- (d) That Council write to thank the residents that participated in the development of the Master Plan and Plan of Management and inform them of this resolution.
- (e) That multi-purpose courts identified in Stage 6 be considered as a Council run sports facility and a report be brought back to Council identifying options.
- (f) That staff apply for relevant grants.
- (g) That the river dog swim site be removed from the Masterplan and a non-river dog swim site be considered as part of the dog recreation strategy.

Record for the Voting:

For the Motion: Unanimous

MATTER OF URGENCY

Councillor Maggio advised the meeting that he wished to raise a Matter of Urgency regarding meetings with residents, the time being 10.32pm.

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

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

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

That Council consider a Matter of Urgency, raised by Councillor Maggio, regarding meetings with residents.

Record of Voting:

For the Motion: Unanimous

MATTER OF URGENCY – MEETINGS WITH RESIDENTS

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

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

- (a) That meetings with Aussie Bites Café, Jennifer Buckley, Ivan Elek and Paul Williamson take place within the next five days with the relevant Directors of the City of Ryde and that those residents be contacted tomorrow with the meeting date.
- (b) That Directors provide assistance to resolve their issues and that a report be circulated through the Councillor Information Bulletin as soon as practicable.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Kim returned to the meeting at 10.38pm.

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Extraordinary Council Meeting held on 29 October 2019

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

2 CONFIRMATION OF MINUTES - Extraordinary Council Meeting held on 12 November 2019

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

3 ITEMS PUT WITHOUT DEBATE

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

4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 8/19 held on 12 November 2019

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

3 SMALL GRANTS – ALLOCATION OF FUNDING ROUND 2, 2019

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

4 RYDE YOUTH COUNCIL TERMS OF REFERENCE

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

5 ADOPTION OF THE MEADOWBANK AND MEMORIAL PARK MASTERPLAN AND PUBLIC EXHIBITION OF MEADOWBANK PARK PLAN OF MANAGEMENT

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

5 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE MEETING 7/19 held on 12 November 2019

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

1 CONFIRMATION OF MINUTES - Finance and Governance Committee Meeting held on 8 October 2019

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

3 REQUEST FOR TENDER - COR-RFT-04-19 AIR HANDLING UNITS FOR THE COMPETITION POOL AT THE RALC

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

4 ADVICE ON COURT ACTIONS

RESOLUTION: (Moved by Councillors Yedelian OAM and Gordon)

That the report be moved to Closed Confidential Session for consideration.

Record of Voting:

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

Against the Motion: Councillor Lane

6 REPORT OF THE RYDE CENTRAL COMMITTEE MEETING 7/19 held on 12 November 2019

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

1 CONFIRMATION OF MINUTES - Ryde Central Committee Meeting held on 8 October 2019

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

3 RYDE CENTRAL PROJECT UPDATE

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

7 INVESTMENT REPORT AS AT 31 OCTOBER 2019

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

8 SEPTEMBER QUARTERLY REVIEW REPORT - FOUR YEAR DELIVERY PROGRAM 2019-2023 AND 2019/2020 OPERATIONAL PLAN

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

9 2018/2019 AUDITED FINANCIAL STATEMENTS - PRESENTATION BY AUDITORS

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

10 2019/2020 CHRISTMAS NEW YEAR ARRANGEMENTS - DELEGATIONS TO THE MAYOR AND GENERAL MANAGER

MOTION: (Moved by Councillors Yedelian OAM and Lane)

That Council endorse Steven Kludass, Director – Corporate Services to act as General Manager for the period 6 January 2020 to 24 January 2020, while the incumbent General Manager is away on leave.

AMENDMENT: (Moved by Councillors Purcell and Pedersen)

- (a) That during the period 11 December 2019 to 11 February 2020, the Mayor and General Manager be delegated any functions of the Council that may lawfully be delegated under Section 377 of the Local Government Act provided the functions are exercised in compliance with the relevant Council policy and where no such policy exists with all due caution.
- (b) That all decisions made by the Mayor and General Manager under this resolution, be communicated to all Councillors as soon as reasonably possible, in addition to a Mayoral Minute being submitted to Council's meeting on 25 February 2020, if required.
- (c) That Council endorse Steven Kludass, Director – Corporate Services to act as General Manager for the period 6 January 2020 to 24 January 2020, while the incumbent General Manager is away on leave.

On being put to the Meeting, the voting on the Amendment was eight (8) For and three (3) Against. The Amendment was **CARRIED** and then became the Motion.

Record for 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 and Yedelian OAM

RESOLUTION: (Moved by Councillors Purcell and Pedersen)

- (a) That during the period 11 December 2019 to 11 February 2020, the Mayor and General Manager be delegated any functions of the Council that may lawfully be delegated under Section 377 of the Local Government Act provided the functions are exercised in compliance with the relevant Council policy and where no such policy exists with all due caution.
- (b) That all decisions made by the Mayor and General Manager under this resolution, be communicated to all Councillors as soon as reasonably possible, in addition to a Mayoral Minute being submitted to Council's meeting on 25 February 2020, if required.
- (c) That Council endorse Steven Kludass, Director – Corporate Services to act as General Manager for the period 6 January 2020 to 24 January 2020, while the incumbent General Manager is away on leave.

Record for 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 and Yedelian OAM

11 ANNUAL REPORT ON CODE OF CONDUCT COMPLAINTS STATISTICS

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

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

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

13 LAND CLASSIFICATION REPORT - 21 AFFORDABLE HOUSING APARTMENTS ON LAND KNOWN AS 101 - 107 WATERLOO ROAD MACQUARIE PARK

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

14 LAND CLASSIFICATION REPORT - COMMUNITY CENTRE LAND IN PROPOSED LOT 8 IN THE PROPOSED STRATUM SUBDIVISION OF 15 HALIFAX STREET, MACQUARIE PARK (LOT 104 DP 1224238)

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

NOTICE OF MOTION

1 ALTERNATE LOCATION FOR COUNCIL MEETINGS - Councillor Sarkis Yedelian OAM

RESOLUTION: (Moved by Councillors Yedelian OAM and Kim)

- (a) That Council move the Chamber to an appropriate location, if required, where the public are able to freely attend Council meetings and make adequate respectful seating arrangements for former Mayors and Councillors and make appropriate acknowledgement for their presence.
- (b) That this be immediately addressed from the December meeting onwards.
- (b) That adequate funding be made available from General Revenue.
- (c) That the General Manager thank staff for their efforts.

Record for the Voting:

For the Motion: Unanimous

EXTENSION OF TIME

Note: Councillor Yedelian OAM left the meeting at 11.10pm and was not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Maggio and Gordon)

That the Meeting be extended to complete all remaining Items on the Agenda, the time being 11.12pm.

Record of the Voting:

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

Against the Motion: Councillor Lane

NOTICES OF MOTION

**2 LIGHTING WITHIN CHARITY CREEK CASCADES PLAYGROUND -
Councillor Roy Maggio**

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

3 RYDE PARK FIELD 3 - Councillor Roy Maggio

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

**4 MARSDEN HIGH SCHOOL - CELEBRATING 60 YEARS OF EDUCATION -
Councillor Roy Maggio**

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

**5 DISABLED PARKING SPOT - 1 HEPBURN AVENUE, GLADESVILLE -
Councillor Roy Maggio**

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

**6 RECOGNITION OF MR KEVIN ANDREWS - Councillor Roy Maggio, The
Mayor, Councillor Jerome Laxale**

Note: Councillor Yedelian OAM was not present for consideration or voting on this matter.

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

- (a) That Council recognise Mr Ken Andrews with a framed Certificate of Appreciation from the Mayor and Councillors highlighting his achievements and milestones.
- (b) That a morning tea be organised in the Mayor's Suite to embark the achievements of this local hero.
- (c) That Mr Andrews family and friends be invited to attend the morning tea.
- (d) That the Executive Assistant to the Mayor and Councillors liaise with Mr John Cunningham in providing assistance with the morning tea.

Record for the Voting:

For the Motion: Unanimous

7 ELECTRIC VEHICLE CHARGING IN THE CITY OF RYDE - Councillor Penny Pedersen

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

Note: Councillor Yedelian OAM returned to the meeting at 11.16pm.

8 BUSH FIRE APPEAL – Councillor Dr Peter Kim

RESOLUTION: (Moved by Councillors Kim and Lane)

- (a) That the General manager organise a bushfire appeal in the Ryde LGA as soon as possible similar to the drought-relief appeal to assist all the people impacted by the bushfires.
- (b) That Council staff arrange for collection buckets to be placed at Council's front facing locations such as the Customer Service Centre, Council's five libraries, the Ryde Aquatic Leisure Centre, Council's North Ryde Office, with all proceeds collected to be donated to the Salvation Army Bushfire Appeal.
- (c) That this fundraising initiative be promoted through Council's communications channels.
- (d) That Council contribute \$5,000 from General Revenue to the Salvation Army Bushfire Appeal.

Record for the Voting:

For the Motion: Unanimous

9 SECURE BIGGER COUNCIL MEETING ROOM – Councillor Dr Peter Kim

Note: Councillor Kim WITHDREW this Notice of Motion.

10 SEMINAR TO WEST RYDE SHOP OWNERS – Councillor Dr Peter Kim**RESOLUTION:** (Moved by Councillors Kim and Purcell)

- (a) That the General Manager, as part of the LSPS consultation programme starting January 2020, organise a Q&A session in regards to the West Ryde Revitalisation Strategy.
- (b) That the session be conducted in English and Korean and that the local shop owners and operators, the West Ryde Chamber of Commerce, the Meadowbank West Ryde Progress Association and other stakeholders be invited.

Record for the Voting:For the Motion: Unanimous**11 DROUGHT RELIEF – Councillor Jordan Lane**Note: This Item was dealt with earlier in the meeting as detailed in these Minutes.**12 EVERYONE CAN PLAY PROGRAM – Councillor Jordan Lane****RESOLUTION:** (Moved by Councillors Lane and Yedelian OAM)

- (a) That Council note the NSW Government's \$4 million 'Everyone Can Play Program' provides Council's with opportunities to apply for funding to create inclusive playgrounds for their local communities.
- (b) That Council delegate the General Manager to take immediate steps to formally apply for funding before 11 December 2019.
- (c) That a CIB be distributed to Councillors in December advising of the project/s the City of Ryde has nominated for funding.
- (d) That Council write to the Minister for Planning and Open Spaces, the Hon. Rob Stokes MP thanking the NSW Government for the initiative, and the opportunity to apply.

Record for the Voting:For the Motion: Unanimous

13 INCREASING RESILIENCE TO CLIMATE CHANGE COMMUNITY GRANTS PROGRAM – Councillor Jordan Lane**RESOLUTION:** (Moved by Councillors Lane and Yedelian OAM)

- (a) That Council note the NSW Government's \$600,000 'Increasing Resilience to Climate Change (IRCC)' community grants program provides communities with opportunities to apply for grants between \$10,000 and \$30,000 to coordinate and take action to increase their resilience and adapt to climate change.
- (b) That Council delegate the General Manager to take immediate steps to work with community groups to formally apply for funding before 31 January 2020.
- (c) That Council report back to Council in February 2020 with the community group/s and project/s the City of Ryde has nominated for funding.
- (d) That Council write to the Minister for Energy and Environment, the Hon. Matt Kean MP thanking the NSW Government for the initiative, and the opportunity to apply.

Record for the Voting:For the Motion: Unanimous**14 COUNCIL WEBCAST – Councillor Jordan Lane****RESOLUTION:** (Moved by Councillors Lane and Kim)

- (a) That Council note Council's Code of Meeting Practice stipulates that Council Meetings are to be webcast, live streamed and made available on Council's website within 5 days.
- (b) That Council acknowledge that webcasts provide a modern, accessible and convenient channel to uphold transparency and accountability of Council to the community.
- (c) That Council urgently investigate the cause behind recent live-stream failure, including regular buffering, excessive load times and incoherent audio and visual streaming, and implement appropriate solutions to improve this important service.
- (d) That Council expand live-streaming through Council's official Facebook page, as currently conducted by Hunters Hill Council.
- (e) That Council make webcasts immediately available for viewing and download on Council's website, as currently conducted by Willoughby City Council.

- (f) That Council urgently expedite the webcasting of committee meetings, as resolved by Council in March 2019, and report back to Council with an expected roll-out time-frame by February 2020.

Record for the Voting:

For the Motion: Unanimous

15 CERTIFICATE OF APPRECIATION – Councillor Dr Peter Kim

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

16 DEFERRED NOTICE OF MOTION: NO SMOKING ZONE IN EASTWOOD EAST - Councillor Dr Peter Kim

RESOLUTION: (Moved by Councillors Kim and Maggio)

- (a) That a six month smoke free zone trial be undertaken in Rowe Street East, Eastwood, between the corner of Rowe Street East / East Parade and the Council carpark on Rowe Street East.
- (b) That the six month trial commences as soon as practicable.
- (c) That signage and information regarding the trial be produced in English, Korean and Chinese.
- (d) That following the completion of the trial, a report be prepared for the Works and Community Committee regarding the results of the trial.
- (e) That as a separate report, staff give consideration to other locations which would be appropriate to extend the smoke free initiative.
- (f) That \$15,000 be allocated from General Revenue to cover the cost of signage, education materials, newspaper advertising and other communication collateral.

Record of the Voting:

For the Motion: Unanimous

QUESTIONS BY COUNCILLORS AS PER POLICY

1 QUESTIONS WITH NOTICE - Councillor Roy Maggio

Question 1:

How many options will be presented for the Councillor's to consider on the Planning Proposal in December?

Answer 1:

The report is not yet drafted, submissions are still being processed.

Question 2:

Will the landowners of potential heritage items be given discounts on their Council rates?

Answer 2:

Rates discounts are currently not proposed for Heritage Items, however, a one off \$500,000 increase to the Heritage Grants Scheme is proposed.

Question 3:

How has the information from the submissions been collated into the report? Will the Council only present samples of submissions in the report?

Answer 3:

The report is not yet drafted. The report will provide a summary of the issues raised and the number of submissions. It will also provide a breakdown of those numbers indicating the number and proportion of submissions for and against the proposal.

Question 4:

How many submissions were received in total from the community? What was the percentage of for or against?

Answer 4:

This is not yet known, staff are still processing submissions. This information will be provided in the report to Council.

Question 5:

Will Councillor's receive a copy of the report before voting in December 2019? Isn't each Councillor required to read the report before voting on the matter?

Answer 5:

A report will be finalised and provided to Councillors before the matter is considered in Council. The requirements of Councillors with respect to decision making are detailed in the code of conduct, in particular see sections 3.4, 3.13 and 3.14:-

3.4 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.

3.13 You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.

3.14 In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

NOTICE OF RESCISSION

1 DEFERRED NOTICE OF RESCISSION: DEFERRED NOTICE OF MOTION: AMENDMENT TO PART 8 OF COUNCIL'S CODE OF MEETING PRACTICE - ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS - Councillor Jordan Lane, Councillor Roy Maggio, Councillor Sarkis Yedelian OAM

MOTION: (Moved by Councillors Yedelian OAM and Maggio)

That Council rescind the previous resolution in relation to Notice of Motion 1 – DEFERRED NOTICE OF MOTION: AMENDMENT TO PART 8 OF COUNCIL'S CODE OF MEETING PRACTICE – ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS, passed at the Council Meeting held on 24 September 2019 (reconvened on 17 October 2019), namely:-

NOTICE OF MOTION

1 DEFERRED NOTICE OF MOTION: AMENDMENT TO PART 8 OF COUNCIL'S CODE OF MEETING PRACTICE - ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS – Councillor Christopher Gordon

- (a) *That Council amend Part 8 of the Code of Meeting Practice – Order of Business for Ordinary Council Meetings to bring Items Put Without Debate for consideration earlier in the Council Meeting.*
- (b) *That Council amend Clause 8.1 of the Code of Meeting Practice to read as follows:-*

8.1 The General Order of Business for an Ordinary Meeting of Council shall be:-

- (a) *Opening Meeting*
 - (b) *Acknowledgement of Country and Opening Statements (including notice of webcasting)*
 - (c) *Prayer*
 - (d) *National Anthem*
 - (e) *Apologies / Requests for Leave of Absence*
 - (f) *Disclosures of Interest*
 - (g) *Tabling of Petitions (if required)*
 - (h) *Public Participation*
 - (i) *Items Put Without Debate (Considered by Exception)*
 - (j) *Mayoral Minutes*
 - (k) *Confirmation of Minutes from Previous Meetings*
 - (l) *Reports from Committees of Council*
 - (m) *Reports to Council*
 - (n) *Precis of Correspondence*
 - (o) *Notices of Motion*
 - (p) *Notice of Rescission (if required)*
 - (q) *Urgent Items as submitted by the Mayor*
 - (r) *Questions by Councillors as per Policy*
 - (s) *Consideration of any business in Closed Session*
 - (t) *Conclusion of the Meeting*
- (c) *That Council amend the Delegation of the Works and Community Committee set out under Appendix “E” – Meeting Times, Charters, Functions and Powers of Committees of Council’s Code of Meeting Practice to delete part (d) which currently reads as follows:-*

Matters considered by the Works and Community Committee will be referred to Council for determination in the following circumstances:-

- (d) *Where a Councillor has requested the General Manager in writing prior to the commencement of the meeting to refer the matter to the next Council meeting.*

- (d) *That Council amend Clause 3.21 of Council's Code of Meeting Practice to read as follows:-*

3.21 A Councillor may lodge a maximum of three (3) Notices of Motion per Ordinary Council meeting.

- (e) *That Council considers the above amendments to Council's Code of Meeting Practice as set out in parts (b), (c) and (d) above to not be substantial amendments and accordingly public exhibition is not required.*

On being put to the Meeting, the voting on the Motion was five (5) For and six (6) Against. The Motion was **LOST**.

Record of the Voting:

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

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

MATTER OF URGENCY

Councillor Maggio advised the meeting that he wished to raise a Matter of Urgency regarding winter sports field allocations, the time being 12.00am.

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

Note: Councillor Yedelian OAM left the meeting at 11.58pm and was not present for consideration or voting on this Item.

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

That Council consider a Matter of Urgency, raised by Councillor Maggio, regarding winter sports fields allocations.

Record of Voting:

For the Motion: Unanimous

MATTER OF URGENCY – WINTER SPORTS FIELDS ALLOCATION

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

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

That Council conduct a comprehensive discussion with a Workshop organised as soon as practicable to discuss the issues surrounding winter sports fields allocations and the major issue we are having with external use of our fields which is impacting the local clubs and players.

Record of Voting:

For the Motion: Unanimous

CLOSED SESSION

ITEM 19 - DRAFT SECTION 7.11 AND 7.12 DEVELOPMENT CONTRIBUTIONS PLANS FOR CITY OF RYDE - PUBLIC EXHIBITION

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 20 - OFFER TO ENTER INTO A VOLUNTARY PLANNING AGREEMENT FROM HDC PLANNING ON BEHALF OF 'UT 65 PTY LTD' TO PROVIDE MATERIAL PUBLIC BENEFITS UNDER COUNCIL'S MACQUARIE PARK INCENTIVE SCHEME IN ASSOCIATION WITH DEVELOPMENT OF 63-71 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: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

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

RESOLUTION: (Moved by Councillors Maggio and Kim)

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

Record for the Voting:

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

Against the Motion: Councillor Lane

Note: The Council closed the meeting at 12.04am. The public and media left the chamber.

15 146 BOWDEN STREET STORMWATER DRAINAGE AND ROAD WORKS - EXEMPTION FROM TENDERING

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

16 REQUEST FOR TENDER - COR-RFT-09/19 – KINGS PARK LANDSCAPE, CIVIL AND PLAYGROUND WORKS

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

17 REQUEST FOR TENDER - COR-RFT- 5/19 - BANJO PATERSON PARK SEAWALL CONSTRUCTION

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

18 REQUEST FOR TENDER - COR-RFT-6/19 – PITTWATER ROAD UPGRADE (HIGH STREET TO FIELD OF MARS)

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

Note: Councillor Yedelian OAM returned to the meeting at 12.10am.

19 DRAFT SECTION 7.11 AND 7.12 DEVELOPMENT CONTRIBUTIONS PLANS FOR CITY OF RYDE - PUBLIC EXHIBITION

MOTION: (Moved by Councillors Maggio and Brown)

- (a) That Council endorses the Draft Section 7.11 and 7.12 Development Contributions Plans for the City of Ryde being made available for public exhibition in January 2020 for six weeks in accordance with the provisions of the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000.
 - (i) Removing the 1% residential development contribution in the 7.12 plan.
- (b) That the result of the public exhibition of the Draft Section 7.11 and 7.12 Development Contributions Plans for the City of Ryde be reported back to Council for its consideration.
- (c) That Councillors contact the Director City Planning and Environment should they wish to have further individual or group briefings with staff during the exhibition period.
- (d) That a Councillor Workshop be scheduled following the closure of the Public Exhibition Period to provide feedback on the results of the public exhibition period of the Draft Section 7.11 and 7.12 Development Contributions Plans.
- (e) That the result of the public exhibition of the Draft Section 7.11 and 7.12 Development Contributions Plans for the City of Ryde be reported back to the Council for its consideration following the Workshop in Item (d).

AMENDMENT: (Moved by Councillors Lane and Kim)

That consideration of this matter be deferred to the February 2020 Council Meeting and that a Workshop be held with Councillors prior to that Meeting.

On being put to the Meeting, Councillor Yedelian OAM abstained from voting and accordingly his vote was recorded Against the Amendment. The voting on the Amendment was two (2) for and nine (9) against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

Record of Voting:

For the Amendment: Councillors Kim and Lane

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

RECOMMENDATION: (Moved by Councillors Maggio and Brown)

- (a) That Council endorses the Draft Section 7.11 and 7.12 Development Contributions Plans for the City of Ryde being made available for public exhibition in January 2020 for six weeks in accordance with the provisions of the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000.
 - (i) Removing the 1% residential development contribution in the 7.12 plan.
- (b) That the result of the public exhibition of the Draft Section 7.11 and 7.12 Development Contributions Plans for the City of Ryde be reported back to Council for its consideration.
- (c) That Councillors contact the Director City Planning and Environment should they wish to have further individual or group briefings with staff during the exhibition period.
- (d) That a Councillor Workshop be scheduled following the closure of the Public Exhibition Period to provide feedback on the results of the public exhibition period of the Draft Section 7.11 and 7.12 Development Contributions Plans.
- (e) That the result of the public exhibition of the Draft Section 7.11 and 7.12 Development Contributions Plans for the City of Ryde be reported back to the Council for its consideration following the Workshop in Item (d).

Record for the Voting:

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

Against the Motion: Councillors Kim and Lane

20 OFFER TO ENTER INTO A VOLUNTARY PLANNING AGREEMENT FROM HDC PLANNING ON BEHALF OF 'UT 65 PTY LTD' TO PROVIDE MATERIAL PUBLIC BENEFITS UNDER COUNCIL'S MACQUARIE PARK INCENTIVE SCHEME IN ASSOCIATION WITH DEVELOPMENT OF 63-71 WATERLOO ROAD, MACQUARIE PARK.

Note: Gilbert de Chalain (representing UT 65 Pty Ltd) addressed the meeting in relation to this Item.

Note: Councillor Kim left the meeting at 12.50am and did not return. He was not present for consideration or voting on this Item.

RECOMMENDATION: (Moved by Councillors Purcell and Clifton)

- (a) That Council accept the letter of offer as provided in **ATTACHMENT 1** dated 21 August 2019 from HDC Planning on behalf of UT 65 Pty Ltd to enter into a Voluntary Planning Agreement in relation to a proposed Development Application for development at, Lot 3, DP104304, being 63-71 Waterloo Road, Macquarie Park. The Voluntary Planning Agreement will require the Applicant to provide public benefits as summarised below:
- i) Monetary Contribution of \$5,523,651 indexed at time of payment, prior to the issue of the first construction certificate for the proposed development that utilises the incentive heights and/or FSR under Clause 6.9 of the Ryde Local Environmental Plan 2014.
 - ii) Construction and dedication of Part of Road 1 to total agreed value of \$3,172,589.
- (b) That Council delegate authority to the General Manager to negotiate the specific terms of the Voluntary Planning Agreement as provided in **ATTACHMENT 1** by HDC Planning on behalf of UT 65 Pty Ltd, 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 HDC Planning on behalf of UT 65 Pty Ltd be informed of Council's decision.

Record for the Voting:

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

Against the Motion: Councillors Brown, Lane and Yedelian OAM

**5 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE MEETING
7/19 held on 12 November 2019**

4 ADVICE ON COURT ACTIONS

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

Note: Councillor Zhou left the meeting at 1.00am and did not return. He was not present for consideration or voting on this Item.

Note: Councillor Lane left the meeting at 1.05am and did not return. He was not present for consideration or voting on this Item.

RECOMMENDATION: (Moved by Councillors Purcell and Clifton)

- (a) That the report of the General Counsel be received and that legal instructions given during Confidential Session be enacted.
- (b) That this report and further updates be brought back to the next Council Meeting.

Record of Voting:

For the Motion: Unanimous

OPEN SESSION

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

RESOLUTION: (Moved by Councillors Purcell and Pedersen)

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

Record of the Voting:

For the Motion: Unanimous

Note: Open Council resumed at 1.18am.

The meeting closed at 1.18am on Wednesday, 27 November 2019

CONFIRMED THIS 12TH DAY OF DECEMBER 2019

Chairperson