



20 NOVEMBER 2014

LATE ITEMS

**Ordinary Meeting of Council Meeting No. 19/14
TUESDAY, 25 NOVEMBER 2014**

**Council Chambers, Level 6, Civic Centre,
1 Devlin Street, Ryde - 7.30pm**

Meeting Date: Tuesday 25 November 2014
Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde
Time: 7.30pm

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

NOTICE OF BUSINESS

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LATE ITEMS

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PRECIS OF CORRESPONDENCE**1 THE CITY OF SYDNEY AMENDMENT (ELECTIONS) BILL 2014 -
RESPONSE FROM HON. PAUL TOOLE MP (6 November 2014)**

Report prepared by: Executive Assistant to the General Manager
File No.: GRP/09/7/8 - BP14/1410

CORRESPONDENCE:

Further to Council's resolution from 23 September 2014, the Acting General Manager wrote to Hon. Paul Toole MP outlining Council's concerns in relation to the *City of Sydney (Elections) Bill 2014* (**ATTACHMENT 1**).

The response from Hon. Paul Toole MP, dated 6 November 2014, is attached (**ATTACHMENT 2**) for the information of Council.

RECOMMENDATION:

That the correspondence be received and noted.

ATTACHMENTS

- 1** Letter to Hon. Paul Toole MP - City of Ryde Opposition to Shooters and Fishers Party Proposed Bill - Dominic Johnson, 29 September 2014
- 2** Response letter from Hon. Paul Toole MP - City of Ryde Opposition to Shooters and Fishers Party Proposed Bill- to Dominic Johnson, 6 November 2014

Report Prepared By:

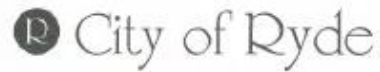
Roxanne Thornton
Executive Assistant to the General Manager

Report Approved By:

Dominic Johnson
Acting General Manager

Precis of Correspondence 1 (continued)

ATTACHMENT 1



Lifestyle and opportunity @ your doorstep

The Hon. Paul Toole MP
Minister for Local Government
GPO Box 5341
Sydney NSW 2001

Our ref: D14/94776

29 September 2014

Dear Mr Toole

**Opposition to Proposed Bill
Businesses in City of Sydney offered 2 votes in Local Government elections**

City of Ryde Council, at its meeting on Tuesday 23 September 2014, resolved as follows:

- (a) *That City of Ryde Council condemns the Bill proposed by the Shooters and Fishers Party, with the support of the NSW Government that will give businesses in the City of Sydney two votes in local government elections.*
- (b) *That Council requests that the General Manager write to the NSW Local Government Minister, Paul Toole, outlining Ryde Council's strong opposition to this anti-democratic measure. The General Manager should also write to the Member for Ryde, Victor Dominello, requesting that support Council's position on this issue and vote on the Bill accordingly.*

Please find a copy of Council's Resolution ATTACHED.

If you have any questions or would like to discuss this matter further, please contact me on 9952 8052.

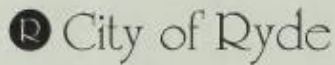
Yours sincerely



Dominic Johnson
Acting General Manager

Precis of Correspondence 1 (continued)

ATTACHMENT 1



Lifestyle and opportunity
@ your doorstep

OFFICIAL RECORDS COPY
Instructions for Action Sheets – D13/14757

**EXTRACT FROM MINUTES OF COUNCIL MEETING
NO. 15/14 AT ITS MEETING HELD ON 23 SEPTEMBER 2014**

NOTICES OF MOTION

**4 CITY OF SYDNEY TWO VOTES IN LOCAL GOVERNMENT ELECTIONS -
Councillor George Simon**

RESOLUTION: (Moved by Councillors Simon and Laxale)

- (a) That City of Ryde Council condemns the Bill proposed by the Shooters and Fishers Party, with the support of the NSW Government, that will give businesses in the City of Sydney two votes in local government elections.
- (b) That Council requests that the General Manager write to the NSW Local Government Minister, Paul Toole, outlining Ryde Council's strong opposition to this anti-democratic measure. The General Manager should also write to the Member for Ryde, Victor Dominello, requesting that support Council's position on this issue and vote on the Bill accordingly.

Record of Voting:

For the Motion: Councillors Laxale, Li, Pendleton, Perram and Simon

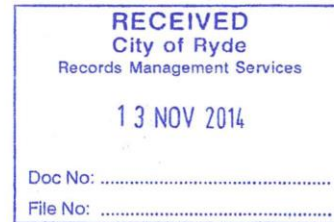
Against the Motion: The Mayor, Councillor Pickering and Councillors Maggio and Yedelian OAM

Precis of Correspondence 1 (continued)

ATTACHMENT 2



The Hon Paul Toole MP
Minister for Local Government



Ref:
MIN: 2014-573467
Doc ID: A397095



Mr Dominic Johnson
Acting General Manager
Council of the City of Ryde
Locked Bag 2069
NORTH RYDE NSW 1670

6 NOV 2014

Dear Mr Johnson

Thank you for your letter of 29 September 2014 outlining your council's concerns in relation to the *City of Sydney Act 1988* (the Act) recently debated in the NSW Parliament.

As you may be aware, NSW Parliament's Joint Standing Committee on Electoral Matters (the Committee) conducted an 18-month inquiry into the 2012 local council elections. The inquiry included both a public and targeted call for submissions. In its final report, the Committee found that non-residents eligible to enrol to vote in City of Sydney elections had been effectively disenfranchised by an unnecessarily complex and bureaucratic process.

The City of Sydney Amendment (Elections) Bill 2014 (the Bill) passed the Parliament on 17 September 2014 including additional amendments to address issues of fairness and to improve the operation of the Act.

The Government responded to concerns raised through the parliamentary process and made a number of important amendments to the Bill to ensure that in future City of Sydney Council elections businesses would not be disenfranchised and that the elections would be administered effectively. These amendments included:

- ensuring businesses operating in shopping centres retain eligibility to vote;
- a provision allowing the City of Sydney to request help to run the election; and
- the model would only apply to the City of Sydney.

Key features of the legislation as passed through Parliament include:

- Making the rules for non-residential voters consistent and fairer for different kinds of businesses, setting a maximum of two eligible persons to be enrolled per business, including for each business operating in shopping centres;
- Non-residential electors will only be able to vote once in the City of Sydney elections;
- To be eligible to vote, a non-residential elector will need to be an Australian citizen who lives in NSW;
- Non-residential electors will now be automatically enrolled to vote;

Precis of Correspondence 1 (continued)

ATTACHMENT 2

- The City of Sydney, consistent with all other councils in NSW, will be responsible for preparing and maintaining the non-residential roll and will be able to engage an appropriately skilled service provider to assist it in doing so;
- The electoral roll will be regularly updated, available for public inspection and verified by the Electoral Commissioner to ensure transparency and integrity;
- The changes will only apply to the City of Sydney. Possible extension to other economic centres may be considered in the future.

I hope this information will address the Council's concerns.

Yours sincerely



Paul Toole MP
Minister

**2 10/50 VEGETATION CLEARING ENTITLEMENT AREA - RESPONSE FROM
HON. NIALL BLAIR MLC (13 November 2014)**

Report prepared by: Executive Assistant to the General Manager
File No.: GRP/09/7/8 - BP14/1411

CORRESPONDENCE:

Further to Council's resolution from 12 August 2014, the previous Acting General Manager wrote to Hon. Rob Stokes MP, Minister for the Environment, seeking his representation to the Minister for Police and Emergency Services regarding Council's submission on the Vegetation Clearing Amendment to the Rural Fires Act (**ATTACHMENT 1**).

The Office of Environment & Heritage acknowledged Council's letter and advised the matter had been referred to the Deputy Commission, NSW Rural Fire Service for his consideration (**ATTACHMENT 2**).

A response from the Hon. Niall Blair, Parliamentary Secretary for Police and Emergency Services, dated 13 November 2014, is attached (**ATTACHMENT 3**) for the information of Council.

RECOMMENDATION:

That the correspondence be received and noted.

ATTACHMENTS

- 1** Letter to The Hon Rob Stokes MP - 10 50 Vegetation Clearing Entitlement Area - from Roy Newsome, 20 August 2014
- 2** Response from Office of Environment and Heritage - 10/50 Vegetation Clearing Rule and Code of Practice - from Caroline Davies, 17 October 2014
- 3** Response from Parliamentary Secretary for Police and Emergency Services - 10/50 Vegetation Clearing Entitlement - from The Hon Niall Blair MLC, 13 November 2014

Report Prepared By:

Roxanne Thornton
Executive Assistant to the General Manager

Report Approved By:

Dominic Johnson
Acting General Manager

Precis of Correspondence 2 (continued)

ATTACHMENT 1



Lifestyle and opportunity @ your doorstep

The Hon. Rob Stokes, MP
Level 32 Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

20 August 2014

Our ref: D14/84454

Dear Hon. Rob Stokes, MP,

10/50 Vegetation Clearing Entitlement Area

I refer to the new laws regarding the clearing of trees and vegetation within bushfire prone areas. These laws are supported by the 10/50 Vegetation Clearing Code of Practice which came into effect on 1 August 2014. Council made an extensive submission regarding the Code of Practice which raised significant concerns regarding the proposal. This submission has been enclosed.

At its meeting on 12 August 2014, Council's Code of Practice was discussed and in response, Council resolved to:

That the Acting General Manager write to the Minister of Environment and the members for Ryde and Lane Cove requesting their representation to the Minister for Police and Emergency Services and consideration of the City of Ryde's submission on the Vegetation Clearing amendment to the Rural Fires Act.

As such, I write to request your assistance in undertaking representation to the Minister for Police and Emergency Services regarding the consideration of Council's submission. It is disappointing the Code of Practice has been brought into force 9 days after the Public Exhibition period closed with no amendments.

Should you have any further queries regarding this matter, I have arranged for Council's Section Manager Natural Areas & Urban Forest to provide any assistance necessary. Please contact Nicola Booth on 9952 8254 or nbooth@ryde.nsw.gov.au.

Yours Sincerely



Roy Newsome
Acting General Manager

Civic Centre 1 Devlin Street, Ryde NSW
Ryde Planning and Business Centre
1 Pope Street, Ryde (Below Ryde Library)

Post Locked Bag 2069, North Ryde NSW 1670
Email cityofryde@ryde.nsw.gov.au
www.ryde.nsw.gov.au

Customer Service (02) 9952 8222
TTY (02) 9952 8470 Fax (02) 9952 8070
Translating and Interpreting Service 131 450

Precis of Correspondence 2 (continued)

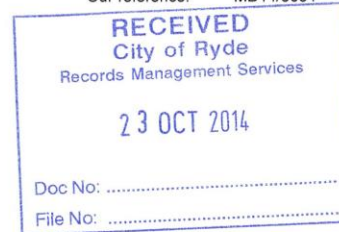
ATTACHMENT 2



**Office of
Environment
& Heritage**

Mr Roy Newsome
Acting General Manager
City of Ryde Council
Locked Bag 2069
NORTH RYDE NSW 1670

Our reference: MD14/6084



Dear Mr Newsome

I refer your letter on behalf of City of Ryde Council to the Minister for the Environment, Rob Stokes MP, regarding the 10/50 Vegetation Clearing Rule and Code of Practice (10/50 Rules). Your letter was referred to the Office of Environment and Heritage (OEH) and I have been asked to reply.

While it is imperative that NSW home owners have appropriate tools to protect their homes for the bushfire season, it is disappointing that a small minority have sought to take inappropriate advantage of the rules. We need to make sure we get the correct balance between conservation and bushfire protection.

The 10/50 Rules are administered by the NSW Rural Fire Service (NSW RFS) under the *NSW Rural Fires Act 1997*. Following community feedback, the NSW Rural Fire Service Commissioner has announced changes to the 10/50 Vegetation Clearing Entitlement. This includes a reduction of the 10/50 entitlement area for Category 2 Bush Fire Prone Land, from 350 metres to 150 metres. Additionally councils will have the ability to reclassify smaller parcels of vegetation.

The NSW RFS has also immediately commenced the formal review of the 10/50 scheme (originally scheduled for one year after the Rules' introduction). Details on how the community can provide feedback can be found on the NSW RFS website at www.rfs.nsw.gov.au. I encourage you to submit any appropriate comments.

As the NSW Rural Fire Service has responsibility for the implementation and review of the 10/50 Rules, I have referred a copy of your correspondence to the Deputy Commissioner, NSW Rural Fire Service, Mr Rob Rogers AFSM, for his consideration.

Yours sincerely



17/10/14

CAROLYN DAVIES
Director Environmental Programs Branch
Regional Operations

PO Box A290 Sydney South NSW 1232
59-61 Goulburn St Sydney NSW 2000
Tel: (02) 9995 5000 Fax: (02) 9995 5999
TTY (02) 9211 4723
ABN 30 841 387 271
www.environment.nsw.gov.au

Precis of Correspondence 2 (continued)

ATTACHMENT 3



The Hon Niall Blair MLC

Parliamentary Secretary for Police and Emergency Services

MIN14/002477-02

Mr Roy Newsome
Acting General Manager
City of Ryde Council
Locked Bag 2069
NORTH RYDE NSW 1670

13 NOV 2014

Dear Mr Newsome

Thank you for your letter received by the Minister for Police and Emergency Services, the Hon Stuart Ayres MP regarding the 10/50 Vegetation Clearing Entitlement. The Minister has asked me to reply on his behalf.

I am advised that since the legislation was introduced on 1 August 2014, some concerns have been raised, in particular, regarding the entitlement area. I understand that the NSW Rural Fire Service has written to all relevant councils to advise of changes that have now been introduced.

The NSW Rural Fire Service also commenced the formal review of 10/50 on 1 October 2014 to allow people to comment and provide additional feedback. Submissions for to the review can be made to 10.50@rfs.nsw.gov.au until 14 November 2014.

I have also been advised that the NSW Rural Fire Service has facilitated a number of workshops for Councils across the State, where representatives from the Office of Environment and Heritage and the Department of Planning also attended to assist with addressing concerns.

Your correspondence has been forwarded to the NSW Rural Fire Service and will be considered as a part of the review.

I encourage Councils to continue working with the NSW Rural Fire Service to ensure that your community is appropriately prepared for the bush fire season.

Thank you for bringing your concerns to the Minister's attention.

Yours sincerely


Hon Niall Blair MLC
Parliamentary Secretary for Police and Emergency Services

3 THANK YOU LETTER - FAMILY OF EDWARD GOUGH WHITLAM

Report prepared by: Executive Assistant to the Mayor
File No.: MYR/07/10/1 - BP14/1415

CORRESPONDENCE:

Submitting correspondence from the family of the late Edward Gough Whitlam, dated 14 November 2014, regarding the letter of condolence forwarded by Council on the death of their father.

RECOMMENDATION:

That the correspondence be received and noted.

ATTACHMENTS

- 1 Letter from Antony Whitlam in respect of letter of condolence forwarded to the Whitlam family following death of Edward Gough Whitlam - former Prime Minister

Report Prepared By:

Linda Smith
Executive Assistant to the Mayor

Report Approved By:

Dominic Johnson
Acting General Manager

Precis of Correspondence 3 (continued)

ATTACHMENT 1

THE HON ANTONY WHITLAM QC

14 November 2014

Councillor Bill Pickering
Mayor
City of Ryde
Locked Bag 2069
North Ryde NSW 1670

Dear Councillor Pickering,

Edward Gough Whitlam

Thank you very much for your letter informing us of Council's resolution of 28 October 2014.

My brothers, my sister and I very much appreciate the condolences you have conveyed.

Yours sincerely,



(A.P. Whitlam)

PO BOX 601 EDGECLIFF NSW 2027

CONFIDENTIAL ITEMS

13 APPOINTMENT OF GENERAL MANAGER - Recommendation to Appoint Preferred Candidate to Position of City of Ryde General Manager

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (a) personnel matters concerning particular individuals (other than councillors).

Report prepared by: Manager - Human Resources

File No.: HRS/07/5/28 - BP14/1432

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15 COR-RFT 19/14 - SOLE PROFESSIONAL SQUAD COACHING RIGHTS DURING PEAK TIMES AT THE RYDE AQUATIC LEISURE CENTRE

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.

Report prepared by: Centre Manager - Ryde Aquatic Leisure Centre

File No.: GRP/11/4/3 - BP14/1251

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