

Meeting Date: Tuesday 24 November 2015
Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde
Time: 7.00pm

NOTICE OF BUSINESS

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4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 15/15 held on 17 November 2015

Report prepared by: Senior Coordinator - Governance
File No.: CLM/15/1/4/2 - BP15/1652

REPORT SUMMARY

Attached are the Minutes of the Works and Community Committee Meeting 15/15 held on 17 November 2015. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

Items 1, 4 and 6 were dealt with by the Committee within its delegated powers.

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

2 PUTNEY HILL DOG OFF LEASH AREA

Note: Jennifer Miles and Alan Boyd addressed the meeting in relation to this Item.

Note: An email from Michael and Samantha Ferraro, dated 17 November 2015, was tabled in relation to this item and a copy is ON FILE.

MOTION: (Moved by Councillors Maggio and Stott)

That this matter be deferred to allow consultation in relation to Olympic Park as a fenced dog off leash area and consideration of Cudal Reserve.

On being put to the Meeting, the voting on the Motion was three (3) For and four (4) Against. The Motion was **LOST**.

Record of Voting:

For the Motion: Councillors Etmekdjian, Maggio and Stott

Against the Motion: Councillors Li, Pendleton, Perram and Simon

RECOMMENDATION: (Moved by Councillors Simon and Pendleton)

- (a) That Council allocate \$60,000 from the 2016/17 Sportsfield Renewal and Upgrade Program for the construction of a fenced dog off leash area at Olympic Park.
- (b) That Council advise the residents of the area identified in the Council resolution of 12 May 2015 and those who attended the community meeting of this action.

ITEM 4 (continued)

- (c) That Council staff liaise with Frasers Property Australia on the inclusion of an additional dog recreation area in the Stage 2 development to cater for the dog owners.

Record of Voting:

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

Against the Motion: Councillors Etmekdjian, Maggio and Stott

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** as dissenting votes were recorded and it is outside the Committees delegations.

3 NAMING OF LOWER EASTWOOD OVAL

RECOMMENDATION: (Moved by Councillors Simon and Pendleton)

- (a) That Council note the correspondence from the Eastwood St Andrews Football Club in regards to the naming of Eastwood Lower Field.
- (b) That should any formal application from an individual or group in relation to the naming of sporting facilities be made, the matter to be reported to Council.
- (c) That the Eastwood St Andrews Football Club be advised that Council will give no further consideration to a skate park at the Eastwood Park.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** as substantive changes were made to the published recommendation.

5 ROADS TO RECOVERY ADDITIONAL FUNDING

RECOMMENDATION: (Moved by Councillors Pendleton and Simon)

That Council allocate the amount of \$ \$768,190 for the Roads Program – Road Resurfacing from the additional funding received from the Federal Government Department of Infrastructure and Regional Development under the Roads to Recovery program and that both income and expenditure it be incorporated into the next Quarterly Review, for the following roads:

- (a) Culloden Road from Talavera Road to Waterloo Road
(b) East Parade from Rowe Street to First Avenue
(c) Parkes Street from Bowden Street to Melville Street
(d) Talavera Road from Busaco Road to Culloden Road

ITEM 4 (continued)

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** as it is outside the Committee's delegations.

ATTACHMENTS

1 Minutes – Works and Community Committee – 17 November 2015

ITEM 4 (continued)

ATTACHMENT 1

**Works and Community Committee
MINUTES OF MEETING NO. 15/15**

Meeting Date: Tuesday 17 November 2015

Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde

Time: 5.00pm

Councillors Present: Councillors Perram (Chairperson), Etmekdjian, Li, Maggio, Pendleton, Simon and Stott.

Apologies: Nil.

Staff Present: Acting Director – City Strategy and Planning, Director – City Works and Infrastructure, Acting Director – Corporate and Community Services, Acting Chief Operating Officer, Chief Financial Officer, Manager – Asset Systems, Manager – Project Development, Acting Manager – Strategic City, Senior Coordinator – Sportsgrounds and Recreation, Senior Coordinator – Transport, Team Leader – Transport Services, Transport and Development Engineer, Traffic Engineer, Senior Coordinator - Governance and Governance, Risk and Audit Coordinator.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES – Meeting held on 20 October 2015

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

2 PUTNEY HILL DOG OFF LEASH AREA

Note: Jennifer Miles and Alan Boyd addressed the meeting in relation to this Item.

Note: An email from Michael and Samantha Ferraro, dated 17 November 2015, was tabled in relation to this item and a copy is ON FILE.

MOTION: (Moved by Councillors Maggio and Stott)

That this matter be deferred to allow consultation in relation to Olympic Park as a fenced dog off leash area and consideration of Cudal Reserve.

On being put to the Meeting, the voting on the Motion was three (3) For and four (4) Against. The Motion was **LOST**.

ITEM 4 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Councillors Etmekdjian, Maggio and Stott

Against the Motion: Councillors Li, Pendleton, Perram and Simon

RECOMMENDATION: (Moved by Councillors Simon and Pendleton)

- (a) That Council allocate \$60,000 from the 2016/17 Sportsfield Renewal and Upgrade Program for the construction of a fenced dog off leash area at Olympic Park.
- (b) That Council advise the residents of the area identified in the Council resolution of 12 May 2015 and those who attended the community meeting of this action.
- (c) That Council staff liaise with Frasers Property Australia on the inclusion of an additional dog recreation area in the Stage 2 development to cater for the dog owners.

Record of Voting:

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

Against the Motion: Councillors Etmekdjian, Maggio and Stott

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** as dissenting votes were recorded and it is outside the Committees delegations.

1 CONFIRMATION OF MINUTES - Meeting held on 20 October 2015

RESOLUTION: (Moved by Councillors Simon and Li)

That the Minutes of the Works and Community Committee 14/15, held on 20 October 2015, be confirmed.

Record of Voting:

For the Motion: Unanimous

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

2 PUTNEY HILL DOG OFF LEASH AREA

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

ITEM 4 (continued)

ATTACHMENT 1

3 NAMING OF LOWER EASTWOOD OVAL

RECOMMENDATION: (Moved by Councillors Simon and Pendleton)

- (a) That Council note the correspondence from the Eastwood St Andrews Football Club in regards to the naming of Eastwood Lower Field.
- (b) That should any formal application from an individual or group in relation to the naming of sporting facilities be made, the matter to be reported to Council.
- (c) That the Eastwood St Andrews Football Club be advised that Council will give no further consideration to a skate park at the Eastwood Park.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** as substantive changes were made to the published recommendation.

4 BANJO PATTERSON PARK CAR PARK - TIMED PARKING RESTRICTIONS

RESOLUTION: (Moved by Councillors Pendleton and Simon)

That Council not proceed with timed parking restrictions in Banjo Patterson Park, Gladesville.

Record of Voting:

For the Motion: Unanimous

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

5 ROADS TO RECOVERY ADDITIONAL FUNDING

RECOMMENDATION: (Moved by Councillors Pendleton and Simon)

That Council allocate the amount of \$ \$768,190 for the Roads Program – Road Resurfacing from the additional funding received from the Federal Government Department of Infrastructure and Regional Development under the Roads to Recovery program and that both income and expenditure it be incorporated into the next Quarterly Review, for the following roads:

- (a) Culloden Road from Talavera Road to Waterloo Road
- (b) East Parade from Rowe Street to First Avenue
- (c) Parkes Street from Bowden Street to Melville Street
- (d) Talavera Road from Busaco Road to Culloden Road

ITEM 4 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** as it is outside the Committee's delegations.

6 TRAFFIC AND PARKING MATTERS PRESENTED TO RYDE TRAFFIC COMMITTEE held on 24 September 2015

RESOLUTION: (Moved by Councillors Simon and Pendleton)

- (a) That Council approves of the installation of a central median and adjustments to parking restrictions in Rowe Street (east), Eastwood, between Blaxland Road and East Parade, as shown in *Drawings L-501, L-502, L-503, L-504 & L-505*, attached subject to any technical adjustments required by the RMS.
- (b) That Council:
1. Installs kerb extensions in Morrison Road, Putney at the existing signalised pedestrian crossing outside Putney Public School, as shown in the attached Drawing, subject to:
 - the installation of pedestrian fencing on the northern side of Morrison Road, and
 - RMS approval.
 2. Installs a flush threshold in Boulton Street, Putney south of Morrison Road, as shown in the attached Drawing.
- (c) That Council installs a 'NO PARKING' zone across and in between the driveways of 297 Morrison Road and 299 Morrison Road, Putney.
- (d) That Council extends the length of the existing 'NO PARKING 5AM-11AM MON' zone in Sandra Street, to the west, to include the frontage and driveway of 9 Sandra Street, Putney.
- (e) That Council:
1. Installs painted islands on the northern side of Gerard Street, for 10 m on either side of Evan Street, Gladesville.
 2. Installs a 'GIVE WAY' sign and associated linemarking in Evan Street at Gerard Street, Gladesville.
- (f) That Council install speed cushions in Quarry Road at the entry points to the roundabout at Aeolus Avenue, Ryde.
- (g) That Council:
1. Installs painted islands on the eastern side of East Parade, for 10 m on either side of Third Avenue, Eastwood.

ITEM 4 (continued)

ATTACHMENT 1

2. Installs a 'GIVE WAY' sign and associated linemarking in Third Avenue at East Parade, Eastwood.
- (h) That Council installs an 11.5 m 'NO PARKING' zone in Khartoum Road, between 6.5 m south of the driveway to 46-48 Khartoum Road and 1 m north of the driveway to 46-48 Khartoum Road, Macquarie Park.
- (i) That Council installs a 'STOP' sign and associated linemarking in East Parade at the intersection of Gordon Crescent, Denistone.
- (j) That Council approves the Transport Management Plan lodged for the Weekend to End Women's Cancers 2015 Special Event, Attachment 4 – Circulated Under Separate Cover.
- (k) That Council installs a 35 m 'NO PARKING' zone on the south-eastern side of Bayview Street, across the frontage of 2 Beach Street and 36 Bayview Street, Tennyson Point.
- (l) That Council approves changes to traffic and parking arrangements in Balaclava Road, Macquarie Park, as detailed in the attached *Drawing SKC05 Revision P4(2)*, prepared by Taylor Thomson Whitting, subject to:
 1. the existing Bus Stop and associated parking signs on the southern side of Balaclava Road, east of Epping Road, being moved to the northern side of Balaclava Road,
 2. Macquarie University preparing a Traffic Management Plan in support of changing Balaclava Road from one-way to two-way operation,
 3. RMS approval of the Traffic Management Plan, and
 4. an onsite meeting between representatives of City of Ryde and Sydney Buses to determine the position of a Bus Stop, 'BUZ ZONE' and associated infrastructure being held before the matter is considered by Council at the Works & Community Committee meeting.
- (m) That Council installs a 5.5 m 'P DISABILITY ONLY' zone on the western side of Orient Street, 10 m south of Buffalo Road, Ryde.
- (n) That Council installs a temporary 25 m 'NO PARKING 5AM-11AM MON-FRI WASTE VEHICLES EXCEPTED' zone on the eastern side of Porter Street, across the frontage of 21-31 Porter Street, Ryde, until Stage 2 of the development is approved for occupation.
- (o) That Council re-instates the pre-existing 'NO STOPPING 8AM-9.30AM 2PM-4PM SCHOOL DAYS' zone on the south-eastern side of Badajoz Road, Ryde.
- (p) That Council approves the attached signage and linemarking plan *SLM01*, which will be implemented at the applicant's expense.

Record of Voting:

For the Motion: Unanimous

ITEM 4 (continued)

ATTACHMENT 1

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

The meeting closed at 5.50pm.

CONFIRMED THIS 15TH DAY OF DECEMBER 2015.

Chairperson

5 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE MEETING 2/15 held on 17 November 2015

Report prepared by: Senior Coordinator - Governance
File No.: CLM/15/1/8/2 - BP15/1653

REPORT SUMMARY

Attached are the Minutes of the Finance and Governance Committee Meeting 2/15 held on 17 November 2015. The Minutes will be listed for confirmation at the next Finance and Governance Committee Meeting.

The following Committee recommendations for Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 are submitted to Council for determination in accordance with the delegations set out in the Code of Meeting Practice relating to Charters, functions and powers of Committees:

1 CONFIRMATION OF MINUTES - Finance and Governance Committee Meeting held on 20 October 2015

RECOMMENDATION: (Moved by Councillors Simon and Chung)

That the Minutes of the Finance and Governance Committee 1/15, held on 20 October 2015, be confirmed.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

2 INVESTMENT REPORT - October 2015

RECOMMENDATION: (Moved by Councillors Simon and Perram)

That Council endorse the report of the Chief Financial Officer dated 1 October 2015 on Investment Report – October 2015.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

ITEM 5 (continued)

3 SEPTEMBER QUARTERLY REVIEW REPORT - FOUR YEAR DELIVERY PLAN 2015-2019 AND 2015/2016 OPERATIONAL PLAN

RECOMMENDATION: (Moved by Councillors Perram and Simon)

- (a) That the report of the Chief Financial Officer dated 30 September 2015 on the September Quarterly Review Report - Four Year Delivery Plan 2015-2019 and One Year Operational Plan 2015/2016, *Quarter One, July – September 2015* be received and endorsed.
- (b) That the proposed budget adjustments included in this report resulting in a net decrease of \$1.89 million to Council's Working Capital of a projected balance as at 30 June 2016 of \$3.07 million, be endorsed and included in the 2015/2016 Budget.
- (c) That the proposed transfers to and from Reserves as detailed in the report, and included as budget adjustments, totalling a net increase in Transfers to Reserves of \$5.33 million be endorsed.
- (d) That the Certificate of the Responsible Accounting Officer dated 4 November 2015 be endorsed.
- (e) That Council endorse the Projects recommended for cancellation, deferral, being placed on hold or proposed to be carried over as detailed in the Report.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

4 COUNCIL'S SUBSIDIES AND DISCOUNTS IN SERVICES - PART 1

RECOMMENDATION: (Moved by Councillors Perram and Chung)

- (a) That Council endorse the progress to date in relation to determination of the Community Service Obligation/Subsidy inherent in each fee or charge raised by Council;
- (b) That Council note the categories of discounts within its Schedule of Fees and Charges are as follows;
 - City of Ryde permanent staff;
 - Eligible pensioners;
 - Financial hardship;

ITEM 5 (continued)

- Funded community groups; and
 - Unfunded community groups
- (c) That Council note that the current estimate of cost shifting from other levels of government to the City of Ryde is \$16.82 million, as detailed for the 2014/2015 year.
- (d) That all future requests for reduction or waiving of fees or charges that are outside of the defined categories listed above, be reported to Council for consideration of a donation in the amount requested for the fee or charge and that a register of such donations be kept and included in each report.
- (e) That Council endorse a comprehensive review of all current policies relating to Community subsidies, grants, free services, sponsorships and donations in establishing one corporate policy for Council's consideration.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

5 CODE OF MEETING PRACTICE - Results of the Public Exhibition

MOTION: (Moved by Councillors Simon and Pendleton)

- (a) That Council adopt the draft City of Ryde Code of Meeting Practice as **ATTACHED (Attachment 2 - Under Separate Cover)**, with an Amendment to Appendix "D" as follows, noting that as the changes are not substantive, further public exhibition is not required (Section 362 Local Government Act, 1993).

Appendix "D"– PRACTICE for Public Addresses

Are there any restrictions on what I can speak about?

You may speak on any Council related matter whether listed on the agenda or not, except for:

- *Matters that have been already listed and considered by the Ryde Civic Hub Committee, Finance and Governance Committee, Works and Community Committee and Planning and Environment Committee; where you have addressed the respective Committee; and which are now referred to Council for determination.*

ITEM 5 (continued)

- (b) That a copy of the adopted Code be sent to the Office of Local Government for their information.
- (c) That Council endorse altering the location of Council and Committee Meetings in the Code of Meeting Practice, to coincide with the relocation of staff from the Civic Centre.

On being put to the Meeting, the voting on the Motion was two (2) For and three (3) Against. The Motion was **LOST**.

Record of Voting:

For the Motion: Councillors Pendleton and Simon

Against the Motion: Councillors Chung, Etmekdjian and Perram

MOTION: (Moved by Councillors Perram and Etmekdjian)

- (a) That Council adopt the draft City of Ryde Code of Meeting Practice as **ATTACHED (Attachment 2 - Under Separate Cover)**, noting that as the changes are not substantive, further public exhibition is not required (Section 362 Local Government Act, 1993).
- (b) That a copy of the adopted Code be sent to the Office of Local Government for their information.
- (c) That Council endorse altering the location of Council and Committee Meetings in the Code of Meeting Practice, to coincide with the relocation of staff from the Civic Centre.

On being put to the Meeting, the voting on the Motion was two (2) For and three (3) Against. The Motion was **LOST**.

Record of Voting:

For the Motion: Councillors Etmekdjian and Perram

Against the Motion: Councillors Chung, Pendleton and Simon

Note: This matter is **AT LARGE**.

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** as the matter is AT LARGE and in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

ITEM 5 (continued)

6 POLICY ON EXPENSES AND FACILITIES FOR THE MAYOR AND OTHER COUNCILLORS

RECOMMENDATION: (Moved by Councillors Perram and Chung)

- (a) That Council adopt the **ATTACHED** 'Policy on Expenses and Facilities for the Mayor and other Councillors'.
- (b) That, in accordance with Section 253 of the Local Government Act 1993, a copy of the adopted policy be provided to the Office of Local Government.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

7 CODE OF CONDUCT ANNUAL REPORT AND ANNUAL REVIEW

RECOMMENDATION: (Moved by Councillors Simon and Perram)

- (a) That Council note the contents of this report and the **ATTACHED** table of Code of Conduct complaints for 1 September 2014 to 31 August 2015
- (b) That Council provide these statistics to the Office of Local Government as required by the Model Code of Conduct – Complaints Procedure
- (c) That Council adopt the draft Code of Conduct documents (**ATTACHED**)
 - Code of Conduct 2015 – Policy
 - Code of Conduct 2015 – Standards of Conduct
 - Code of Conduct 2015 – Complaints Procedure
 - Guideline on the Interaction between Councillors and Staff
- (d) That Council write to the Minister for Local Government and the Chief Executive of the Office of Local Government as a matter of urgency, seeking advice on when the Model Code of Conduct will be revised to address the inconsistency relating to Public Interest Disclosures as detailed in this report.
- (e) That a supplementary report detailing further information on details of breaches and how they were resolved be provided to Council, subject to the receipt of advice from the Office of Local Government.

ITEM 5 (continued)

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

8 ADVISORY COMMITTEE MEMBERSHIP

RECOMMENDATION: (Moved by Councillors Simon and Perram)

That Council confirm the current membership of the following Advisory Committees:

- Access Advisory Committee
- Bicycle Advisory Committee
- Bushland and Environment Advisory Committee, including the addition of Simone McGinley – Bushcare Group Representative (Central Ward)
- Community Harmony Reference Group
- Eastwood and West Ryde Events and Promotions Committee
- Economic Development Committee
- Heritage Advisory Committee
- Macquarie Park Forum
- Sport and Recreation and Wheeled Sports Advisory Committee
- Status of Women Advisory Committee

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

9 EASTWOOD COMMUNITY HUB PROPOSAL

Note: A Confidential Supplementary Report was tabled in relation to this Item and a copy is ON FILE - CONFIDENTIAL.

RECOMMENDATION: (Moved by Councillors Chung and Etmekdjian)

- (a) That Council support, in principle, the sale of Council owned properties at 10 to 12 Lakeside Road Eastwood to Romeciti Pty Ltd, subject to securing a suitable community benefit within any development on the site.

ITEM 5 (continued)

- (b) That the General Manager continue negotiations with Romeciti Pty Ltd in order to maximise the community benefit with particular regard to the criteria outlined under Option 3 within this Report.
- (c) That a further report be provided for Council's endorsement of the negotiated terms of sale.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

10 STRENGTHENING RYDE PROGRAMME LANEWAYS - Divestment Opportunities

RECOMMENDATION: (Moved by Councillors Etmekdjian and Simon)

- (a) That Council endorses implementation of a programme to investigate and implement divestment of Laneways on a rolling basis as a means to establishing an additional revenue stream to support the delivery of services;
- (b) That Council approves, in principle, the divestment of the identified six short-term Laneway opportunities in an initial tranche;
- (c) That net proceeds of this programme be applied to road safety and/or new cycleways programs;
- (d) That Council delegates to the General Manager authority to execute all documentation associated with the closing and/or divestment of Laneways, including the affixing of Council's seal (as required);
- (e) Expenditure incurred in the divestment of laneways will be funded from the Property Investment Reserve, which will be reimbursed after sale.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

ITEM 5 (continued)

11 PAYMENT PORTAL AND PAYMENT GATEWAY - eBUSINESS PROJECT - COR-RFT-07/15

RECOMMENDATION: (Moved by Councillors Chung and Perram)

- (a) Council reject all tenders, as no respondent satisfied all of Council's requirements.
- (b) That Council not call for fresh tenders for the Payment Gateway or the Payment Portal for Rates and Debtors, as the calling of fresh invitations would not gain better value for money or increase the scope of respondents.
- (c) That Council delegate to the General Manager the authority to commence negotiations with the National Australia Bank Limited, as the preferred provider of the new Payment Gateway, due to its value for money, as recommended in the Tender Evaluation Report or any other provider as determined.
- (d) That Council delegate to the General Manager the authority to commence negotiations with the National Australia Bank Limited, as the preferred provider of the new Payment Portal for Rates and Debtors, due to its value for money, as recommended in the Tender Evaluation Report or any other provider as determined.
- (e) That a further report on the implementation of the Payment Gateway and Portal, as resolved, be provided to Council in February 2016.
- (f) That Council undertake further market research for the provision of an Online Forms system, an Online Events Management System and an Online Booking system, as recommended in the Tender Evaluation Report, and when necessary, call for fresh invitations.
- (g) That Council delegate to the General Manager the authority to enter into a contract with the successful provider on the terms contained within the tender, for the Payment Gateway, and Payment Portal (Rates and Debtors); and for minor amendments to be made to the contract documents that are not of a material nature.
- (h) That Council advise all the respondents of Council's decision.
- (i) That Council allocate the amount of \$200,000 for the Payment Gateway and Payment Portal, as part of the eBusiness Project, from Asset Replacement Reserve and that the amount be included in the next Quarterly Review for completeness.

Record of Voting:

For the Motion: Unanimous

ITEM 5 (continued)

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

12 COR-RFT-09/15 - PROVISION OF CONSTRUCTION SERVICES - UPGRADING OF ROWE STREET EAST, EASTWOOD

RECOMMENDATION: (Moved by Councillors Perram and Etmekdjian)

- (a) That Council accept the tender from CA & I Pty Ltd for the provision of Construction services – Upgrading of Rowe Street East, Eastwood, in the amount of \$3,247,210.10 excluding GST as recommended in the Tender Evaluation Report.
- (b) That Council delegate to the General Manager the authority to enter into a contract with CA & I Pty Ltd on the terms contained within the tender and for minor amendments to be made to the contract documents that are not of a material nature.
- (c) That Council advise all the respondents of Council's decision.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

13 ADVICE ON COURT ACTIONS

RECOMMENDATION: (Moved by Councillors Simon and Perram)

That the report of the General Counsel be received.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

ATTACHMENTS

- 1 Minutes – Finance and Governance Committee – 17 November 2015

ITEM 5 (continued)**ATTACHMENT 1****Finance and Governance Committee
MINUTES OF MEETING NO. 2/15****Meeting Date:** Tuesday 17 November 2015**Location:** Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde**Time:** 6.00pm**Councillors Present:** Councillors Pendleton (Chairperson), Chung, Etmekdjian, Perram and Simon.**Apologies:** Nil.**Staff Present:** General Manager, Acting Chief Operating Officer, Acting Director – Corporate and Community Services, Acting Director – City Strategy and Planning, Director – City Works and Infrastructure, General Counsel, Chief Financial Officer, Manager – Risk, Audit and Governance, Manager – Communications, Customer Service and Events, Manager – Project Development, Acting Manager – Strategic City, Senior Coordinator – Property and Developments, Senior Coordinator – Community Projects, Community Projects Coordinator, Project Manager (Civil), Senior Coordinator - Governance and Governance, Risk and Audit Coordinator.**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**1 CONFIRMATION OF MINUTES - Finance and Governance Committee
Meeting held on 20 October 2015****RECOMMENDATION:** (Moved by Councillors Simon and Chung)

That the Minutes of the Finance and Governance Committee 1/15, held on 20 October 2015, be confirmed.

Record of Voting:For the Motion: UnanimousNote: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

ITEM 5 (continued)

ATTACHMENT 1

2 INVESTMENT REPORT - October 2015

RECOMMENDATION: (Moved by Councillors Simon and Perram)

That Council endorse the report of the Chief Financial Officer dated 1 October 2015 on Investment Report – October 2015.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

3 SEPTEMBER QUARTERLY REVIEW REPORT - FOUR YEAR DELIVERY PLAN 2015-2019 AND 2015/2016 OPERATIONAL PLAN

RECOMMENDATION: (Moved by Councillors Perram and Simon)

- (a) That the report of the Chief Financial Officer dated 30 September 2015 on the September Quarterly Review Report - Four Year Delivery Plan 2015-2019 and One Year Operational Plan 2015/2016, *Quarter One, July – September 2015* be received and endorsed.
- (b) That the proposed budget adjustments included in this report resulting in a net decrease of \$1.89 million to Council's Working Capital of a projected balance as at 30 June 2016 of \$3.07 million, be endorsed and included in the 2015/2016 Budget.
- (c) That the proposed transfers to and from Reserves as detailed in the report, and included as budget adjustments, totalling a net increase in Transfers to Reserves of \$5.33 million be endorsed.
- (d) That the Certificate of the Responsible Accounting Officer dated 4 November 2015 be endorsed.
- (e) That Council endorse the Projects recommended for cancellation, deferral, being placed on hold or proposed to be carried over as detailed in the Report.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

ITEM 5 (continued)

ATTACHMENT 1

4 COUNCIL'S SUBSIDIES AND DISCOUNTS IN SERVICES - PART 1

RECOMMENDATION: (Moved by Councillors Perram and Chung)

- (a) That Council endorse the progress to date in relation to determination of the Community Service Obligation/Subsidy inherent in each fee or charge raised by Council;
- (b) That Council note the categories of discounts within its Schedule of Fees and Charges are as follows;
 - City of Ryde permanent staff;
 - Eligible pensioners;
 - Financial hardship;
 - Funded community groups; and
 - Unfunded community groups
- (c) That Council note that the current estimate of cost shifting from other levels of government to the City of Ryde is \$16.82 million, as detailed for the 2014/2015 year.
- (d) That all future requests for reduction or waiving of fees or charges that are outside of the defined categories listed above, be reported to Council for consideration of a donation in the amount requested for the fee or charge and that a register of such donations be kept and included in each report.
- (e) That Council endorse a comprehensive review of all current policies relating to Community subsidies, grants, free services, sponsorships and donations in establishing one corporate policy for Council's consideration.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

5 CODE OF MEETING PRACTICE - Results of the Public Exhibition

MOTION: (Moved by Councillors Simon and Pendleton)

- (a) That Council adopt the draft City of Ryde Code of Meeting Practice as **ATTACHED (Attachment 2 - Under Separate Cover)**, with an Amendment to Appendix "D" as follows, noting that as the changes are not substantive, further public exhibition is not required (Section 362 Local Government Act, 1993).

ITEM 5 (continued)

ATTACHMENT 1

Appendix “D”– PRACTICE for Public Addresses

Are there any restrictions on what I can speak about?

You may speak on any Council related matter whether listed on the agenda or not, except for:

- *Matters that have been already listed and considered by the Ryde Civic Hub Committee, Finance and Governance Committee, Works and Community Committee and Planning and Environment Committee; where you have addressed the respective Committee; and which are now referred to Council for determination.*

- (b) That a copy of the adopted Code be sent to the Office of Local Government for their information.
- (c) That Council endorse altering the location of Council and Committee Meetings in the Code of Meeting Practice, to coincide with the relocation of staff from the Civic Centre.

On being put to the Meeting, the voting on the Motion was two (2) For and three (3) Against. The Motion was **LOST**.

Record of Voting:

For the Motion: Councillors Pendleton and Simon

Against the Motion: Councillors Chung, Etmekdjian and Perram

MOTION: (Moved by Councillors Perram and Etmekdjian)

- (b) That Council adopt the draft City of Ryde Code of Meeting Practice as **ATTACHED (Attachment 2 - Under Separate Cover)**, noting that as the changes are not substantive, further public exhibition is not required (Section 362 Local Government Act, 1993).
- (b) That a copy of the adopted Code be sent to the Office of Local Government for their information.
- (c) That Council endorse altering the location of Council and Committee Meetings in the Code of Meeting Practice, to coincide with the relocation of staff from the Civic Centre.

On being put to the Meeting, the voting on the Motion was two (2) For and three (3) Against. The Motion was **LOST**.

ITEM 5 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Councillors Etmekdjian and Perram

Against the Motion: Councillors Chung, Pendleton and Simon

Note: This matter is **AT LARGE**.

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** as the matter is AT LARGE and in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

6 POLICY ON EXPENSES AND FACILITIES FOR THE MAYOR AND OTHER COUNCILLORS

RECOMMENDATION: (Moved by Councillors Perram and Chung)

- (a) That Council adopt the **ATTACHED** 'Policy on Expenses and Facilities for the Mayor and other Councillors'.
- (b) That, in accordance with Section 253 of the Local Government Act 1993, a copy of the adopted policy be provided to the Office of Local Government.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

7 CODE OF CONDUCT ANNUAL REPORT AND ANNUAL REVIEW

RECOMMENDATION: (Moved by Councillors Simon and Perram)

- (a) That Council note the contents of this report and the **ATTACHED** table of Code of Conduct complaints for 1 September 2014 to 31 August 2015
- (b) That Council provide these statistics to the Office of Local Government as required by the Model Code of Conduct – Complaints Procedure
- (c) That Council adopt the draft Code of Conduct documents (**ATTACHED**)
 - Code of Conduct 2015 – Policy
 - Code of Conduct 2015 – Standards of Conduct
 - Code of Conduct 2015 – Complaints Procedure
 - Guideline on the Interaction between Councillors and Staff

ITEM 5 (continued)**ATTACHMENT 1**

- (d) That Council write to the Minister for Local Government and the Chief Executive of the Office of Local Government as a matter of urgency, seeking advice on when the Model Code of Conduct will be revised to address the inconsistency relating to Public Interest Disclosures as detailed in this report.
- (e) That a supplementary report detailing further information on details of breaches and how they were resolved be provided to Council, subject to the receipt of advice from the Office of Local Government.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

8 ADVISORY COMMITTEE MEMBERSHIP

RECOMMENDATION: (Moved by Councillors Simon and Perram)

That Council confirm the current membership of the following Advisory Committees:

- Access Advisory Committee
- Bicycle Advisory Committee
- Bushland and Environment Advisory Committee, including the addition of Simone McGinley – Bushcare Group Representative (Central Ward)
- Community Harmony Reference Group
- Eastwood and West Ryde Events and Promotions Committee
- Economic Development Committee
- Heritage Advisory Committee
- Macquarie Park Forum
- Sport and Recreation and Wheeled Sports Advisory Committee
- Status of Women Advisory Committee

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

ITEM 5 (continued)

ATTACHMENT 1

CLOSED SESSION

ITEM 9 – EASTWOOD COMMUNITY HUB PROPOSAL

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 10 - STRENGTHENING RYDE PROGRAMME LANEWAYS - Divestment Opportunities

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 11 - PAYMENT PORTAL AND PAYMENT GATEWAY - eBUSINESS PROJECT - COR-RFT-07/15

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; AND (d) (ii) information that would, if disclosed, confer a commercial advantage on a competitor of the council.

ITEM 12 - COR-RFT-09/15 - PROVISION OF CONSTRUCTION SERVICES - UPGRADING OF ROWE STREET EAST, EASTWOOD

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 5 (continued)

ATTACHMENT 1

ITEM 13 - ADVICE ON COURT ACTIONS

Confidential

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

RESOLUTION: (Moved by Councillors Simon and Perram)

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

Record of Voting:

For the Motion: Unanimous

Note: The Committee closed the meeting at 7.04pm. The public and media left the Committee Meeting Room.

9 EASTWOOD COMMUNITY HUB PROPOSAL

Note: A Confidential Supplementary Report was tabled in relation to this Item and a copy is ON FILE - CONFIDENTIAL.

RECOMMENDATION: (Moved by Councillors Chung and Etmekdjian)

- (a) That Council support, in principle, the sale of Council owned properties at 10 to 12 Lakeside Road Eastwood to Romeciti Pty Ltd, subject to securing a suitable community benefit within any development on the site.
- (b) That the General Manager continue negotiations with Romeciti Pty Ltd in order to maximise the community benefit with particular regard to the criteria outlined under Option 3 within this Report.
- (c) That a further report be provided for Council's endorsement of the negotiated terms of sale.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

ITEM 5 (continued)

ATTACHMENT 1

10 STRENGTHENING RYDE PROGRAMME LANEWAYS - Divestment Opportunities

RECOMMENDATION: (Moved by Councillors Etmekdjian and Simon)

- (a) That Council endorses implementation of a programme to investigate and implement divestment of Laneways on a rolling basis as a means to establishing an additional revenue stream to support the delivery of services;
- (b) That Council approves, in principle, the divestment of the identified six short-term Laneway opportunities in an initial tranche;
- (c) That net proceeds of this programme be applied to road safety and/or new cycleways programs;
- (d) That Council delegates to the General Manager authority to execute all documentation associated with the closing and/or divestment of Laneways, including the affixing of Council's seal (as required);
- (e) Expenditure incurred in the divestment of laneways will be funded from the Property Investment Reserve, which will be reimbursed after sale.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

11 PAYMENT PORTAL AND PAYMENT GATEWAY - eBUSINESS PROJECT - COR-RFT-07/15

RECOMMENDATION: (Moved by Councillors Chung and Perram)

- (a) Council reject all tenders, as no respondent satisfied all of Council's requirements.
- (b) That Council not call for fresh tenders for the Payment Gateway or the Payment Portal for Rates and Debtors, as the calling of fresh invitations would not gain better value for money or increase the scope of respondents.
- (c) That Council delegate to the General Manager the authority to commence negotiations with the National Australia Bank Limited, as the preferred provider of the new Payment Gateway, due to its value for money, as recommended in the Tender Evaluation Report or any other provider as determined.

ITEM 5 (continued)**ATTACHMENT 1**

- (d) That Council delegate to the General Manager the authority to commence negotiations with the National Australia Bank Limited, as the preferred provider of the new Payment Portal for Rates and Debtors, due to its value for money, as recommended in the Tender Evaluation Report or any other provider as determined.
- (e) That a further report on the implementation of the Payment Gateway and Portal, as resolved, be provided to Council in February 2016.
- (f) That Council undertake further market research for the provision of an Online Forms system, an Online Events Management System and an Online Booking system, as recommended in the Tender Evaluation Report, and when necessary, call for fresh invitations.
- (g) That Council delegate to the General Manager the authority to enter into a contract with the successful provider on the terms contained within the tender, for the Payment Gateway, and Payment Portal (Rates and Debtors); and for minor amendments to be made to the contract documents that are not of a material nature.
- (h) That Council advise all the respondents of Council's decision.
- (i) That Council allocate the amount of \$200,000 for the Payment Gateway and Payment Portal, as part of the eBusiness Project, from Asset Replacement Reserve and that the amount be included in the next Quarterly Review for completeness.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

**12 COR-RFT-09/15 - PROVISION OF CONSTRUCTION SERVICES -
UPGRADING OF ROWE STREET EAST, EASTWOOD**

RECOMMENDATION: (Moved by Councillors Perram and Etmekdjian)

- (a) That Council accept the tender from CA & I Pty Ltd for the provision of Construction services – Upgrading of Rowe Street East, Eastwood, in the amount of \$3,247,210.10 excluding GST as recommended in the Tender Evaluation Report.
- (b) That Council delegate to the General Manager the authority to enter into a contract with CA & I 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.

ITEM 5 (continued)

ATTACHMENT 1

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

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

13 ADVICE ON COURT ACTIONS

RECOMMENDATION: (Moved by Councillors Simon and Perram)

That the report of the General Counsel be received.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **24 NOVEMBER 2015** in accordance with the Finance and Governance Committee Terms of Reference in Council's Code of Meeting Practice.

The meeting closed at 7.34pm.

CONFIRMED THIS 15TH DAY OF DECEMBER 2015.

Chairperson