

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

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

**Apologies:** Councillors Pendleton and Salvestro-Martin.

**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 – Communications, Customer Service and Events, Manager – Risk, Audit and Governance, Executive Officer – Ryde Civic Hub, Senior Coordinator – Property and Development, Project Manager, Digital Communications Coordinator, Senior Coordinator – Governance and Governance, Risk and Audit Coordinator.

### **PRAYER**

Bishop Alex Tong of the Church of Jesus Christ of Latter-Day Saints, Ryde was present and offered prayer prior to the commencement of the meeting.

### **LEAVE OF ABSENCE**

The Mayor, Councillor Laxale advised that Councillor Pendleton has requested a Leave of Absence for the period 15 December 2015 to 23 December 2015 inclusive.

Councillor Li requested a Leave of Absence for the period 7 December 2015 to 11 December 2015 inclusive.

Councillor Perram requested a Leave of Absence for the period 27 November 2015 to 6 December 2015 inclusive.

**RESOLUTION:** (Moved by Councillors Maggio and Pickering)

- (a) That Councillor Pendleton's Leave of Absence for the period 15 December 2015 to 23 December 2015 inclusive be approved.
- (b) That Councillor Li's Leave of Absence for the period of 7 December 2015 to 11 December 2015 inclusive be approved.
- (c) That Councillor Perram's Leave of Absence for the period of 27 November 2015 to 6 December 2015 inclusive be approved.

**Record of Voting:**

For the Motion: Unanimous

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**TABLING OF PETITIONS**

The Mayor, Councillor Laxale tabled a petition with 16 signatures expressing concern at the lack of investment in community services, particularly in the libraries and requesting Council to increase the hours of operation for all branch libraries across the City of Ryde.

**PRESENTATION OF NAIDOC CERTIFICATES TO SCHOOL STUDENTS**

The Mayor, Councillor Laxale presented Charlotte O'Brien from Holy Spirit Primary School and Ella Cohen from Gladesville Primary School with a certificate in recognition of their receipt of a NAIDOC Medal of Excellence. Only 25 Medals are awarded across the State each year and the presentations are made to promote awareness of Indigenous culture, traditions and cultural diversity.

**SIGNING OF WHITE RIBBON PLEDGE – CITY OF RYDE**

As resolved by Council at its Meeting on 27 October 2015, Councillors had the opportunity to sign the White Ribbon Pledge.

**PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA**

**RESOLUTION:** (Moved by Councillors Maggio and Chung)

That the speakers who submitted a Request to Address Council on Item 2(4) – 87 Bowden Street and 2 Macpherson Street, Ryde (LDA2015/0283) from the report of the Planning and Environment Committee Meeting 15/15 held on 10 November 2015, and Item 4(2) – Putney Hill Dog Off Leash Area from the report of the Works and Community Committee Meeting 15/15 held on 17 November 2015 be allowed to address the meeting, the time being 7.20pm.

**Record of Voting:**

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

Against the Motion: Councillors Li and Pickering

## **PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA**

The following persons addressed the Council:-

<b>Name</b>	<b>Topic</b>
Doriana Donnelly (representing Residents Petition Group Meadowbank)	<b>Item 2(4)</b> – 87 Bowden Street and 2 Macpherson Street, Ryde – LDA2015/0283
Andrew Wilson	<b>Item 4(2)</b> – Putney Hill Dog Off Leash Area

## **PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA**

The following persons addressed the Council:-

<b>Name</b>	<b>Topic</b>
Kelvin Gray (representing the Northern District Cricket Association Inc. – NDCA)	Displacement of Historical Sporting Associations and Clubs – the proposed re-surfacing of ELS Hall No. 1 and the impact upon the NDCA
Glenn Hillier (representing the North Ryde Hawkes JRLFC)	Displacing Historical Sports Clubs and training for NWS Koalas

## **ORDER OF BUSINESS**

**RESOLUTION:** (Moved by Councillors Chung and Yedelian OAM)

That Council now consider the following Items, the time being 7.37pm:

- Item 2(4) – 87 Bowden Street and 2 Macpherson Street, Ryde – LDA2015/0283.
- Item 4(2) – Putney Hill Dog Off Leash Area

### **Record of Voting:**

For the Motion: Unanimous

## **COUNCIL REPORTS**

### **2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 15/15 held on 10 November 2015**

- 4 87 BOWDEN STREET and 2 MACPHERSON STREET, RYDE - LOT 17 DP663261 AND LOT 1 DP 327005. Development Application for demolition, and construction of a new part three/part-two storey child care centre with basement car park. LDA2015/0283.**

Note: Doriana Donnelly (representing Residents Petition Group Meadowbank) addressed the meeting in relation to this Item.

**MOTION:** (Moved by Councillors Chung and Yedelian OAM)

- (a) That consideration of Local Development Application No. LDA2015/0283 at 87 Bowden Street and 2 Macpherson Street, Ryde (LOT 17 DP663261 and LOT 1 DP327005) be deferred for a meeting to be undertaken with the applicant and the Acting Director – City Strategy and Planning to discuss reducing the number of children, revisiting the level of excavation, traffic issues, the provision of a Heritage Impact Statement and other DCP non-compliances.
- (b) That a further report be presented to the Planning and Environment Committee as soon as practicable.

**AMENDMENT:** (Moved by Councillors Maggio and Pickering)

- (a) That Local Development Application No. LDA2015/0283 at 87 Bowden Street and 2 Macpherson Street, Ryde (LOT 17 DP663261 and LOT 1 DP327005) be approved subject to the **ATTACHED** conditions (**Attachment 1**).
- (b) That the persons who made submissions be advised of Council's decision.

On being put to the Meeting, the voting on the Amendment was four (4) For and six (6) Against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

**Record of Voting:**

For the Amendment: Councillors Maggio, Pickering, Stott and Yedelian OAM

Against the Amendment: The Mayor, Councillor Laxale and Councillors Chung, Etmekdjian, Li, Perram and Simon

**RESOLUTION:** (Moved by Councillors Chung and Yedelian OAM)

- (a) That consideration of Local Development Application No. LDA2015/0283 at 87 Bowden Street and 2 Macpherson Street, Ryde (LOT 17 DP663261 and LOT 1 DP327005) be deferred for a meeting to be undertaken with the applicant and the Acting Director – City Strategy and Planning to discuss reducing the number of children, revisiting the level of excavation, traffic issues, the provision of a Heritage Impact Statement and other DCP non-compliances.
- (a) That a further report be presented to the Planning and Environment Committee as soon as practicable.

**Record of Voting:**

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

Against the Motion: Councillor Maggio

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

**2 PUTNEY HILL DOG OFF LEASH AREA**

Note: Andrew Wilson addressed the meeting in relation to this Item.

**MOTION:** (Moved by Councillors Perram and Simon)

- (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.

**MOTION OF DISSENT**

As a result of the Mayor, Councillor Laxale not agreeing to request Councillor Simon to withdraw his comments in respect of Councillor Maggio, Councillor Pickering moved a Motion of Dissent against the Mayor's ruling.

**RESOLUTION:** (Moved by Councillors Pickering and Stott)

Note: Councillor Li left the meeting at 8.05pm and was not present for voting on this item.

That Council dissent against the ruling of the Mayor, not to request Councillor Simon to withdraw his inappropriate comments made in respect of Councillor Maggio.

**Record of Voting:**

For the Motion: Councillors Chung, Etmekdjian, Maggio, Pickering, Stott and Yedelian OAM

Against the Motion: The Mayor, Councillor Laxale and Councillors Perram and Simon

As a result of the Motion being **CARRIED**, The Mayor, Councillor Laxale requested Councillor Simon to withdraw his comments made in respect of Councillor Maggio. Councillor Simon then withdrew his comments made in respect of Councillor Maggio.

Note: Councillor Li returned to the meeting at 8.09pm.

**AMENDMENT:** (Moved by Councillors Maggio and Pickering)

- (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 Cudal Reserve, subject to the consent of Sydney Water.
- (b) That Council advise the residents of the area identified in the Council resolution of 12 May 2015 and those who signed a petition and who attended the community meeting of this action.
- (c) That Council staff liaise with Frasers Property Australia on the inclusion of an additional dog recreational area in the stage 2 development to cater for the dog owners

On being put to the Meeting, the voting on the Amendment was five (5) all. The Mayor used his casting vote Against the Amendment. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

**Record of Voting:**

For the Amendment: Councillors Chung, Etmekdjian, Maggio, Pickering and Stott

Against the Amendment: The Mayor, Councillor Laxale and Councillors Li, Perram, Simon and Yedelian OAM

**RESOLUTION:** (Moved by Councillors Perram and Simon)

- (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: The Mayor, Councillor Laxale and Councillors Chung, Etmekdjian, Li, Perram, Simon and Yedelian OAM

Against the Motion: Councillors Maggio, Pickering and Stott

**MAYORAL MINUTES**

**MM10/15 NIGHT TIME ECONOMY**

Note: The Mayor, Councillor Laxale tabled a letter from Ryde Macquarie Park Chamber of Commerce dated 24 November 2015 in relation to this item and a copy is ON FILE.

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

- (a) That Council endorse the preparation of a Night Time Economy Study for the City of Ryde.
- (b) That Council consult with the Macquarie Park Forum, Economic Development Advisory Committee and the Events and Promotions Committees prior to the finalisation of any brief and budget for the study and that the outcomes of the consultation be reported back to Council.

**Record of Voting:**

For the Motion: Unanimous

**COUNCIL REPORTS**

**1 CONFIRMATION OF MINUTES - Council Meeting held on 27 October 2015**

**RESOLUTION:** (Moved by Councillors Simon and Yedelian OAM)

That the Minutes of the Council Meeting 19/15, held on 27 October 2015 be confirmed.

**Record of Voting:**

For the Motion: Unanimous

**2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 15/15 held on 10 November 2015**

**RESOLUTION:** (Moved by Councillors Chung and Pickering)

That Council determine Item 2 of the Planning and Environment Committee report 15/15, held on 10 November 2015 noting that Items 1, 3, 5 and 6 were dealt with by the Committee within its delegated powers and Item 4 was considered earlier in the Meeting as detailed in these Minutes.

**Record of Voting:**

For the Motion: Unanimous

- 2 490 VICTORIA ROAD, RYDE. LOT B DP 319817. Applications pursuant to Section 96(1A) of the Environmental Planning and Assessment Act, 1979 to amend two (2) approved applications in relation to introduction of fill into the rear yard area, various retaining wall works, and increased height of approved shed.**

**RESOLUTION:** (Moved by Councillors Chung and Simon)

That consideration of the application be deferred for a mediation to be undertaken by the Acting Director – City Strategy and Planning with the applicant and objector and that a further report be submitted to the Planning and Environment Committee as soon as practicable.

**Record of Voting:**

For the Motion: Unanimous

- 4 87 BOWDEN STREET and 2 MACPHERSON STREET, RYDE - LOT 17 DP663261 AND LOT 1 DP 327005. Development Application for demolition, and construction of a new part three/part-two storey child care centre with basement car park. LDA2015/0283.**

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

**3 REPORT OF THE RYDE CIVIC HUB COMMITTEE MEETING 5/15 held on 10 November 2015**

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

That Council determine Items 1 and 2 of the Ryde Civic Hub Committee report 5/15, held on 10 November 2015 in accordance with the Ryde Civic Hub Committee Terms of Reference.



**Record of Voting:**

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

Against the Motion: Councillor Perram

**1 CONFIRMATION OF MINUTES - Ryde Civic Hub Committee Meeting held on 20 October 2015**

**RESOLUTION:** (Moved by Councillors Pickering and Stott)

That the Minutes of the Ryde Civic Hub Committee 4/15, held on 20 October 2015, be confirmed.

**Record of Voting:**

For the Motion: Unanimous

**2 RYDE CIVIC HUB INTERNATIONAL DESIGN COMPETITION - STATUS REPORT 3 (NOVEMBER 2015)**

**RESOLUTION:** (Moved by Councillors Stott and Pickering)

That the Ryde Civic Hub Committee receives and notes the content of Status Report 3 (November 2015) as contained in the presentations by the Competition Registrar (JBA Urban Planning Consultants) and the City of Ryde's Communications and Media team.

**Record of Voting:**

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

Against the Motion: Councillors Li and Perram

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

**RESOLUTION:** (Moved by Councillors Perram and Simon)

That Council determine Items 3 and 5 of the Works and Community Committee report 15/15, held on 17 November 2015 noting that Items 1, 4 and 6 were dealt with by the Committee within its delegated powers and Item 2 was considered earlier in the Meeting as detailed in these Minutes.

**Record of Voting:**

For the Motion: Unanimous

**2 PUTNEY HILL DOG OFF LEASH AREA**

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

**3 NAMING OF LOWER EASTWOOD OVAL**

**RESOLUTION:** (Moved by Councillors Perram and Li)

- (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

**5 ROADS TO RECOVERY ADDITIONAL FUNDING**

**RESOLUTION:** (Moved by Councillors Perram 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

**Record of Voting:**

For the Motion: Unanimous

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

**RESOLUTION:** (Moved by Councillors Perram and Li)

That Council determine Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of the Finance and Governance Committee report 2/15, held on 17 November 2015 in accordance with the Finance and Governance Committee Terms of Reference.

**Record of Voting:**

For the Motion: Unanimous

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

**RESOLUTION:** (Moved by Councillors Perram 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

**2 INVESTMENT REPORT - October 2015**

**RESOLUTION:** (Moved by Councillors Perram and Li)

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

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

**RESOLUTION:** (Moved by Councillors Perram and Li)

- (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

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

**RESOLUTION:** (Moved by Councillors Perram and Maggio)

- (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

**5 CODE OF MEETING PRACTICE - Results of the Public Exhibition**

**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.

**AMENDMENT:** (Moved by Councillors Simon and Chung)

- (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:*

- (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 Amendment was three (3) For and seven (7) Against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

**Record of Voting:**

For the Amendment: The Mayor, Councillor Laxale and Councillors Chung, and Simon

Against the Amendment: Councillors Etmekdjian, Li, Maggio, Perram, Pickering, Stott and Yedelian OAM

**RESOLUTION:** (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.

**Record of Voting:**

For the Motion: Councillors Chung, Etmekdjian, Li, Maggio, Perram, Pickering, Stott and Yedelian OAM

Against the Motion: The Mayor, Councillor Laxale and Councillor Simon

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

**RESOLUTION:** (Moved by Councillors Perram and Etmekdjian)

- (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

## **7 CODE OF CONDUCT ANNUAL REPORT AND ANNUAL REVIEW**

**MOTION:** (Moved by Councillors Perram and Simon)

- (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 Council write to the Office of Local Government requesting permission for the General Manager to provide further information regarding Code of Conduct complaints, noting that such detail will be for the purposes of continuous improvement only and will not identify the individuals concerned.
- (f) That the General Manager provide Council with a supplementary report detailing the process by which Code of Conduct complaints are assessed and addressed and the actions taken to ensure Council is informed of recurring issues, so that such matters can be adequately considered.

**AMENDMENT:** (Moved by Councillors Etmekdjian and Yedelian OAM)

- (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.

On being put to the Meeting, the voting on the Amendment was seven (7) For and three (3) Against. The Amendment was **CARRIED** and then became the Motion.

**Record of Voting:**

For the Amendment: Councillors Chung, Etmekdjian, Li, Maggio, Pickering, Stott and Yedelian OAM

Against the Amendment: The Mayor, Councillor Laxale and Councillors Perram and Simon

**RESOLUTION:** (Moved by Councillors Etmekdjian and Yedelian OAM)

- (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.



**Record of Voting:**

For the Motion: Councillors Chung, Etmekdjian, Li, Maggio, Perram, Pickering, Stott and Yedelian OAM

Against the Motion: The Mayor, Councillor Laxale and Councillor Simon

**8 ADVISORY COMMITTEE MEMBERSHIP**

**RESOLUTION:** (Moved by Councillors Perram and Pickering)

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, including the addition of Kevin Pagaddinnimath
- 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

**9 EASTWOOD COMMUNITY HUB PROPOSAL**

**RESOLUTION:** (Moved by Councillors Perram and Li)

That this matter be deferred for consideration in Confidential Closed Session.

**Record of Voting:**

For the Motion: Unanimous

## **10 STRENGTHENING RYDE PROGRAMME LANEWAYS - Divestment Opportunities**

**RESOLUTION:** (Moved by Councillors Perram 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

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

**RESOLUTION:** (Moved by Councillors Perram and Simon)

- (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

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

**RESOLUTION:** (Moved by Councillors Perram and Simon)

- (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

**13 ADVICE ON COURT ACTIONS**

**RESOLUTION:** (Moved by Councillors Perram and Simon)

That the report of the General Counsel be received.

**Record of Voting:**

For the Motion: Unanimous

**PRECIS OF CORRESPONDENCE FOR CONSIDERATION**

**1 NATIONAL BROADBAND NETWORK UPDATE**

**RESOLUTION:** (Moved by Councillors Perram and Simon)

That the correspondence be received and noted.

**Record of Voting:**

For the Motion: Unanimous

**2 DRAFT TRANSPORT INFRASTRUCTURE DEED - NORTH RYDE PRIORITY PRECINCT**

**RESOLUTION:** (Moved by Councillors Chung and Simon)

- (a) That Council acknowledge the pledge by the Roads and Maritime Service to match Council's \$10 million funding for intersection upgrades along Epping Road.
- (b) That the Mayor write to The Hon. Victor Dominello MP, Member for Ryde and the Hon. Duncan Gay, Minister for Roads, Maritime and Freight, thanking them for the \$10 million funding.
- (c) That the General Manager write to the Hon. Rob Stokes, Minister for Planning and the Hon. Victor Dominello MP, reinforcing Council's call to be permitted to charge a regional infrastructure levy for brownfield sites.

**Record of Voting:**

For the Motion: Unanimous

## **NOTICES OF MOTION**

### **1 EXPEDITING EASTWOOD CCTV PROJECT - Councillor Justin Li**

**RESOLUTION:** (Moved by Councillors Li and Etmekdjian)

- (a) That Council proceed with the installation of CCTV cameras in the Eastwood Town Centre as soon as possible, utilising the Federal Government grant made available for this project after the 2013 Federal Election.
- (b) That Council endorse the CCTV Cameras and Lighting for Eastwood project, fully funded by a \$200,000 Federal Government grant to be incorporated into the next Quarterly Review.

**Record of Voting:**

For the Motion: Unanimous

## **CLOSED SESSION**

### **ITEM 5(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.

### **LATE ITEM 6 – REQUEST FOR TENDER – COR-RFT-12/15 – DESIGN, SUPPLY AND INSTALL SPORTSFIELD LIGHTING AT FIELD NOS. 2 AND 4, MORRISON BAY PARK, PUTNEY**

#### **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.

**RESOLUTION:** (Moved by Councillors Simon and Pickering)

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

**Record of Voting:**

For the Motion: Unanimous

Note: The Council closed the meeting at 9.41pm. The public and media left the chamber.

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

**9 EASTWOOD COMMUNITY HUB PROPOSAL**

**RECOMMENDATION:** (Moved by Councillors Etmekdjian and Perram)

- (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

**6 REQUEST FOR TENDER – COR-RFT-12/15 – DESIGN, SUPPLY AND  
INSTALL SPORTSFIELD LIGHTING AT FIELD NOS. 2 AND 4, MORRISON  
BAY PARK, PUTNEY**

**RECOMMENDATION:** (Moved by Councillors Maggio and Stott)

- (a) That Council accept the tender from Kealec Pty. Ltd. T/A Sportz Lighting for the Design, Supply and Installation of Sportsfield Lighting at Field nos. 2 and 4, Morrison Bay Park, Putney in accordance with the submission and Council's Conditions of Contract, in the amount of \$168,644 (excluding GST).

- (b) That the General Manager be delegated the authority to execute all relevant contract documents for the Design, Supply and Installation of Sportsfield Lighting at Field nos. 2 and 4, Morrison Bay Park, Putney.
- (c) That Council advise all the respondents of Council's decision.

**Record of Voting:**

For the Motion: Unanimous

**OPEN SESSION**

**RESOLUTION:** (Moved by Councillors Simon and Chung)

That Council resolve itself into open Council.

**Record of Voting:**

For the Motion: Unanimous

Note: Open Council resumed at 9.57pm.

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Simon)

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

**Record of Voting:**

For the Motion: Unanimous

**NATIONAL ANTHEM**

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

The meeting closed at 9.59pm.

CONFIRMED THIS 15TH DAY OF DECEMBER 2015

Chairperson