

Meeting Date: Tuesday 24 March 2020
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 7.03pm

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

Apologies: Nil.

Leave of Absence: Nil.

Staff Present: General Manager, Director – Customer and Community Services, Director – Corporate Services, Director – City Planning and Environment, Director – City Works, General Counsel, Executive Manager – Strategy and Innovation, Chief Financial Officer, Manager – Communications and Engagement, Manager – Urban Strategy, Manager – Community and Ranger Services, Manager – Project Development, Manager – Procurement, Civic Services Manager and Civic Support Officer.

PRAYER

Reverend John Chappell of St John’s Anglican Church at North Ryde was present and offered prayer prior to the commencement of the meeting.

NATIONAL ANTHEM

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

DISCLOSURES OF INTEREST

Councillor Kim disclosed a Less than Significant Non-Pecuniary Interest in Item 9 – Eastwood Small Business Hardship Fund, for the reason that he owns a shop in Eastwood.

TABLING OF PETITIONS

No Petitions were tabled.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

The following persons made a written submission to Council:-

Name	Topic
Nicholas Elek	Item 8 – Exhibition of the Draft City of Ryde Local Housing Strategy and multi dwelling Housing Planning Proposal
Jimmy Park	Item 9 – Eastwood Small Business Hardship Fund
James Stanton-Cooks	Notice of Motion 4 – Support for Indigenous Communities Opposing Fracking in the Northern Territory
Dr Roderick Anderson (representing myself as a resident of a SSROC Council)	Notice of Motion 4 – Support for Indigenous Communities Opposing Fracking in the Northern Territory
Amy Smart	Notice of Motion 4 – Support for Indigenous Communities Opposing Fracking in the Northern Territory
Meredith Kirton	Notice of Motion 4 – Support for Indigenous Communities Opposing Fracking in the Northern Territory
Chris Gambian	Notice of Motion 4 – Support for Indigenous Communities Opposing Fracking in the Northern Territory
Suzie Gold	Notice of Motion 4 – Support for Indigenous Communities Opposing Fracking in the Northern Territory
Julie Lee	Notice of Motion 4 – Support for Indigenous Communities Opposing Fracking in the Northern Territory
Jessica Clarke	Notice of Motion 4 – Support for Indigenous Communities Opposing Fracking in the Northern Territory
Heather McCabe	Notice of Motion 4 – Support for Indigenous communities opposing fracking in the Northern Territory
Tara McCabe	Notice of Motion 4 – Support for Indigenous Communities Opposing Fracking in the Northern Territory
Phillip Ward	Notice of Motion 4 – Support for Indigenous Communities Opposing Fracking in the Northern Territory
Annie Nielsen	Notice of Motion 4 – Support for Indigenous Communities Opposing Fracking in the Northern Territory
Sybille Frank	Notice of Motion 4 – Support for Indigenous Communities Opposing Fracking in the Northern Territory

Name	Topic
Libby Lawson	Notice of Motion 4 – Support for Indigenous Communities Opposing Fracking in the Northern Territory
Winnie Fu	Notice of Motion 4 – Support for Indigenous Communities Opposing Fracking in the Northern Territory
Joanne Taranto	Notice of Motion 4 – Support for Indigenous Communities Opposing Fracking in the Northern Territory
Murray Deakin	Notice of Motion 4 – Support for Indigenous Communities Opposing Fracking in the Northern Territory

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following person addressed the meeting and also made a written submission to Council:-

Name	Topic
Reverend John Chappell	Thanking the Council Team for their great service to the Community during these difficult times

COUNCIL REPORTS

1 ITEMS PUT WITHOUT DEBATE

RESOLUTION: (Moved by Councillors Purcell and Clifton)

That Council adopt Item 2, Item 3, Item 4, Item 5, Item 5(1), Item 5(3), Item 6, Item 6(1), Item 6(3), Item 7 and Notice of Motion 3 on the Council Agenda as per the recommendations in the reports.

Record for the Voting:

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

Against the Motion: Councillors Lane and Yedelian OAM

COUNCIL REPORTS

2 CONFIRMATION OF MINUTES - Extraordinary Council Meeting held on 4 February 2020

RESOLUTION: (Moved by Councillors Purcell and Clifton)

That the Minutes of the Extraordinary Council Meeting 1/20, held on 4 February 2020 be confirmed.

Record for the Voting:

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

Against the Motion: Councillors Lane and Yedelian OAM

3 CONFIRMATION OF MINUTES - Council Meeting held on 25 February 2020

RESOLUTION: (Moved by Councillors Purcell and Clifton)

That the Minutes of the Council Meeting 3/20, held on 25 February 2020 be confirmed.

Record for the Voting:

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

Against the Motion: Councillors Lane and Yedelian OAM

4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 2/20 held on 10 March 2020

RESOLUTION: (Moved by Councillors Purcell and Clifton)

That Council note that all Items 1, 2, 3 and 4 of the Works and Community Committee report 2/20 held on 10 March 2020 were dealt with by the Committee under delegated authority.

Record for the Voting:

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

Against the Motion: Councillors Lane and Yedelian OAM

**5 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE
MEETING 2/20 held on 10 March 2020**

RESOLUTION: (Moved by Councillors Purcell and Clifton)

That Council determine Items 1, 3 and 4 of the Finance and Governance Committee report 2/20, held on 10 March 2020 noting that Item 2 – Items Put Without Debate is not required to be considered by Council.

Record for the Voting:

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

Against the Motion: Councillors Lane and Yedelian OAM

**1 CONFIRMATION OF MINUTES - Finance and Governance
Committee Meeting held on 11 February 2020**

RESOLUTION: (Moved by Councillors Purcell and Clifton)

That the Minutes of the Finance and Governance Committee 1/20, held on 11 February 2020, be confirmed.

Record for the Voting:

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

Against the Motion: Councillors Lane and Yedelian OAM

3 REPORTS DUE TO COUNCIL

RESOLUTION: (Moved by Councillors Purcell and Clifton)

That the report on Outstanding Council Reports be endorsed.

Record for the Voting:

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

Against the Motion: Councillors Lane and Yedelian OAM

**6 REPORT OF THE RYDE CENTRAL COMMITTEE MEETING 2/20
held on 10 March 2020**

RESOLUTION: (Moved by Councillors Purcell and Clifton)

That Council determine Items 1 and 3 of the Ryde Central Committee report 2/20, held on 10 March 2020 noting that Item 2 – Items Put Without Debate is not required to be considered by Council.

Record for the Voting:

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

Against the Motion: Councillors Lane and Yedelian OAM

**1 CONFIRMATION OF MINUTES - Ryde Central Committee
Meeting held on 11 February 2020**

RESOLUTION: (Moved by Councillors Purcell and Clifton)

That the Minutes of the Ryde Central Committee Meeting 1/20, held on 11 February 2020, be confirmed.

Record for the Voting:

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

Against the Motion: Councillors Lane and Yedelian OAM

3 RYDE CENTRAL PROJECT UPDATE

RESOLUTION: (Moved by Councillors Purcell and Clifton)

That Council receives and notes this report.

Record for the Voting:

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

Against the Motion: Councillors Lane and Yedelian OAM

7 INVESTMENT REPORT AS AT 29 FEBRUARY 2020

RESOLUTION: (Moved by Councillors Purcell and Clifton)

That Council endorse the Investment Report as at 29 February 2020.

Record for the Voting:

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

Against the Motion: Councillors Lane and Yedelian OAM

NOTICE OF MOTION

**3 CURBING AND GUTTERING - McGOWAN STREET, PUTNEY -
Councillor Penny Pedersen**

RESOLUTION: (Moved by Councillors Purcell and Clifton)

That the City of Ryde complete the curbing and guttering project that was identified by a previous Council and promised to local residents on McGowan Street, Putney and it be included in the 2020/21 works program, funded from the asset replacement reserve.

Record for the Voting:

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

Against the Motion: Councillors Lane and Yedelian OAM

2 CONFIRMATION OF MINUTES - Extraordinary Council Meeting held on 4 February 2020

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

3 CONFIRMATION OF MINUTES - Council Meeting held on 25 February 2020

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

4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 2/20 held on 10 March 2020

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

5 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE MEETING 2/20 held on 10 March 2020

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

1 CONFIRMATION OF MINUTES - Finance and Governance Committee Meeting held on 11 February 2020

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

3 REPORTS DUE TO COUNCIL

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

4 ADVICE ON COURT ACTIONS

RESOLUTION: (Moved by Councillors Purcell and Gordon)

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

Record for the Voting:

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

Against the Motion: Councillor Lane

6 REPORT OF THE RYDE CENTRAL COMMITTEE MEETING 2/20 held on 10 March 2020

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

1 CONFIRMATION OF MINUTES - Ryde Central Committee Meeting held on 11 February 2020

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

3 RYDE CENTRAL PROJECT UPDATE

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

7 INVESTMENT REPORT AS AT 29 FEBRUARY 2020

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

8 EXHIBITION OF THE DRAFT CITY OF RYDE LOCAL HOUSING STRATEGY AND MULTI DWELLING HOUSING PLANNING PROPOSAL

Note: Nicholas Elek made a written submission to Council in relation to this Item.

RESOLUTION: (Moved by Councillors Purcell and Clifton)

- (a) That Council endorse the draft City of Ryde Local Housing Strategy, attached to this report, for public exhibition for a period of 28 days, which will take place after the pandemic period (COVID-19) has been officially downgraded.
- (b) That following the public exhibition period, the outcome of the public exhibition and the draft City of Ryde Local Housing Strategy, be reported back to Council for finalisation.
- (c) That Council endorse the planning proposal attached to this report, seeking to remove *Multi dwelling Housing* from the *R2 Low Density Residential* zone of the Ryde LEP 2014 and amend the planning controls relating to *Dual Occupancy (attached)* development, to be submitted for Gateway Determination under s3.34 of the *Environmental Planning and Assessment Act 1979*.

- (d) That the planning proposal be placed on exhibition in accordance with the requirements of the Gateway Determination. Following the public exhibition period, the outcome of the public exhibition and the planning proposal, be reported back to Council for finalisation.
- (e) That during the exhibition period a further report be brought back outlining options for significantly reduced 2036 housing targets.
- (f) That Council write to the Minister for Planning and the Greater Sydney Commission seeking a further deferral of the Medium Density Housing Code SEPP given the global pandemic (COVID-19).

Record for the Voting:

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

Against the Motion: Councillors Lane and Yedelian OAM

ONE MINUTE SILENCE

Councillor Pedersen requested a Suspension of Standing Orders to enable Council to observe a one minute silence to honour the passing of Dr Catherine Hamlin.

SUSPENSION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Pedersen and Lane)

That Standing Orders be Suspended in order for Council to observe a one minute silence in honour of the passing of Dr Catherine Hamlin, the time being 8.13pm.

Record of the Voting:

For the Motion: Unanimous

Note: A one minute silence was then observed

RESUMPTION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Brown and Purcell)

That Standing Orders be Resumed, the time being 8.15pm.

Record for the Voting:

For the Motion: Unanimous

9 EASTWOOD SMALL BUSINESS HARDSHIP FUND

Note: Jimmy Park made a written submission to Council in relation to this Item.

Note: Councillor Kim disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he owns a shop in Eastwood.

MOTION: (Moved by Councillors Purcell and Clifton)

- (a) That Council endorse the Eastwood Small Business Hardship Fund, comprising:
 - i. A public relations campaign and a 'Return to Eastwood' Gift Card Program; and
 - ii. An Eastwood Small Business Hardship Grant Program, including the Guidelines and Application process associated with this Program
- (b) That Council endorse that funds available for the Eastwood Small Business Hardship Grant Program be shared equally amongst all eligible grant applicants up to a limit of \$2,000 per eligible applicant.
- (c) That in the event a business commenced operations after 1 January 2019, suitable criteria be established together with an alternate statutory declaration that attests to the downturn in sales between 1 January 2020 and 29 February 2020. Such attestation shall come from a registered financial professional.
- (d) That funding be re-attributed to \$450,000 for the Hardship Fund and \$50,000 for the promotional campaign.
- (e) That the promotional campaign aforementioned commence after the lifting of the social distancing measures in the City of Ryde.
- (f) That the north side of Glen Street be included to the area eligible for the grant and promotion.

Note: Councillor Brown attempted to move an Amendment in relation to this Item to include that the Fund be City wide. The Mayor, Councillor Laxale ruled that the Amendment was out of order in accordance with Clause 17.7 of Council's adopted Code of Meeting Practice.

MOTION OF DISSENT

MOTION: (Moved by Councillors Yedelian OAM and Moujalli)

That a Motion of Dissent be moved against the Mayor, Councillor Laxale's ruling in accordance with Clause 17.7 of Council's adopted Code of Meeting Practice.

On being put to the Meeting, Councillor Zhou abstained from voting and accordingly his vote was recorded Against the Motion. The voting on the Motion was six (6) All. The Mayor, Councillor Laxale used his casting vote Against the Motion. The Motion was **LOST**.

Record for the Voting:

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

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

RESOLUTION: (Moved by Councillors Purcell and Clifton)

- (a) That Council endorse the Eastwood Small Business Hardship Fund, comprising:
 - i. A public relations campaign and a 'Return to Eastwood' Gift Card Program; and
 - ii. An Eastwood Small Business Hardship Grant Program, including the Guidelines and Application process associated with this Program
- (b) That Council endorse that funds available for the Eastwood Small Business Hardship Grant Program be shared equally amongst all eligible grant applicants up to a limit of \$2,000 per eligible applicant.
- (c) That in the event a business commenced operations after 1 January 2019, suitable criteria be established together with an alternate statutory declaration that attests to the downturn in sales between 1 January 2020 and 29 February 2020. Such attestation shall come from a registered financial professional.
- (d) That funding be re-attributed to \$450,000 for the Hardship Fund and \$50,000 for the promotional campaign.
- (e) That the promotional campaign aforementioned commence after the lifting of the social distancing measures in the City of Ryde.
- (f) That the north side of Glen Street be included to the area eligible for the grant and promotion.

Record for the Voting:

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

Against the Motion: Councillors Lane, Moujalli and Yedelian OAM

10 DRAFT SECTION 7.11 AND 7.12 DEVELOPER CONTRIBUTIONS PLANS FOR THE CITY OF RYDE - POST PUBLIC EXHIBITION

Note: A Memorandum from the Director – City Planning and Environment dated 23 March 2020, together with a late submission from Ethos Urban was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Purcell and Pedersen)

(a) That Council adopts:

- *City of Ryde Section 7.11 Developer Contributions Plan 2020; and*
- *City of Ryde Fixed Rate Levy (Section 7.12) Developer Contributions Plan 2020*

In the form in which they were exhibited.

- (b) That the *City of Ryde Section 7.11 Developer Contributions Plan 2020; and City of Ryde Fixed Rate Levy (Section 7.12) Developer Contributions Plan 2020* become operational on the date nominated in the public notice to be published in a local newspaper in accordance with Clause 31(2)&(4) of the Environmental Planning and Assessment Regulation 2000.
- (c) That the nominated date in the public notice for the commencement of the *City of Ryde Section 7.11 Developer Contributions Plan 2020* and *City of Ryde Fixed Rate Levy (Section 7.12) Developer Contributions Plan 2020* be 1 July 2020.
- (c) That the *City of Ryde Section 7.11 Developer Contributions Plan 2020* repeal the *City of Ryde Section 94 Development Contributions Plan 2007 – Interim Update (2014)* on the date it becomes operational (1 July 2020) in accordance with Clause 32(2)(a) of the Environmental Planning and Assessment Regulation 2000.

Record for the Voting:

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

Against the Motion: Councillors Lane, Maggio, Moujalli and Yedelian OAM

11 AUDIT, RISK AND IMPROVEMENT COMMITTEE

RESOLUTION: (Moved by Councillors Purcell and Pedersen)

That Council endorses the appointment of the nominated independent member of the Audit, Risk and Improvement Committee as detailed in the report, in accordance with the Terms of Reference of the Committee.

Record for the Voting:

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

Against the Motion: Councillor Yedelian OAM

LATE COUNCIL REPORT

14 **WAIVER OF FEES - SWIM SCHOOLS AND CARNIVALS, SPORTSGROUNDS AND PARKS, LIBRARY FINES AND NOTICE PERIOD FOR VENUES**

RESOLUTION: (Moved by Councillors Maggio and Pedersen)

1. Waive Cancellation Fees and Notice Period January - March 2020:-
 - (a) That Council adopts the resolution to waive the cancellation fee specified in Council's adopted "Fees and Charges" for swim schools and swimming carnivals for the period January to March 2020 inclusive.
 - (b) That Council adopts the resolution to waive the notice period under Council's Venue Hire Application, for cancellations for the period January to March 2020 inclusive.
2. That the following proposed resolution (as identified in (2) (a), (b), (c) and (d) below) be exhibited for a minimum period of 28 days with a further report being brought back to a Council meeting to determine the resolution following the public exhibition period:-
 - (a) That Council waive the cancellation fee specified in Council's adopted "Fees and Charges" for swim schools and swimming carnivals for the period 01 April to 30 June 2020 inclusive; and
 - (b) That Council waive the cancellation fee specified in Council's adopted "Fees and Charges" for sporting fields or parks for the period 01 March to 30 June 2020; and

- (c) That Council waive the notice period required under Council's Venue Hire Application, for cancellations for the period 01 April to 30 June 2020 inclusive; and
 - (d) That Council temporarily waives the following library fines associated with the late return or loss of items for the period 1 April to 30 June 2020, as outlined in Council's *Fees and Charges 2019-2020*.
 - (a) Daily overdue charge
 - (b) "Fast Reads" overdue charge
 - (c) Replacement processing charge
3. That the April draft Delivery Plan be brought back to Council including options for no increase to fees, charges and Council rates where Council has discretion.
 4. That Council arrange a fast-tracking process for financial hardship applications in regards to the payment of rates.
 5. That Council's Hardship Policy be reviewed with options to be brought back to the April Council meeting.

Record for the Voting:

For the Motion: Unanimous

NOTICES OF MOTION**1 NAIDOC WEEK GRANTS - Councillor Jordan Lane**

RESOLUTION: (Moved by Councillors Lane and Gordon)

That Council:

- (a) Note the NSW Government's NAIDOC Week grants program offers funding of up to \$3,000 to support events that celebrate Aboriginal people and Torres Strait Islander history, culture and achievements.
- (b) Delegate the General Manager to take immediate steps to formally apply for funding before 24 April 2020.
- (c) Report back to Council in June 2020 with the community group(s) and/or project(s) the City of Ryde has nominated for funding.
- (d) Write to the Minister for Aboriginal Affairs, the Hon. Don Harwin MLC thanking the NSW Government for the initiative, and the opportunity to apply.

Record for the Voting:

For the Motion: Unanimous

2 WEBSITE LIVE CHAT - Councillor Jordan Lane

RESOLUTION: (Moved by Councillors Lane and Purcell)

That Council:

- (a) Supports the establishment of a live chat mechanism to offer immediate online assistance to visitors to the City of Ryde website.
- (b) Delegate the General Manager to take immediate steps to investigate the most appropriate and cost effective live chat program.
- (c) Receive a report by as soon as practicable detailing the findings of the investigation and the necessary steps and an approximate timeline for implementation.

Record for the Voting:

For the Motion: Unanimous

3 CURBING AND GUTTERING - McGOWAN STREET, PUTNEY - Councillor Penny Pedersen

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

4 SUPPORT FOR INDIGENOUS COMMUNITIES OPPOSING FRACKING IN THE NORTHERN TERRITORY - Councillor Penny Pedersen

Note: James Stanton-Cooks, Dr Roderick Anderson (representing myself as a resident of a SSROC Council), Amy Smart, Meredith Kirton, Chris Cambian, Suzie Gold, Julie Lee, Jessica Clarke, Heather McCabe, Tara McCabe, Phillip Ward, Annie Nielsen, Sybille Frank, Libby Lawson, Winnie Fu, Joanne Taranto and Murray Deakin made written submissions to Council in relation to this Item.

RESOLUTION: (Moved by Councillors Pedersen and Gordon)

That Council:

- (a) Write to Origin Energy:-
 - (i) Noting City of Ryde has a Power Purchase Agreement with Origin Energy through SSROC, 20% of which is currently sourced from the Moree Power plant.

- (ii) Noting City of Ryde has endorsed a Climate Emergency Declaration, a resolution to divest from Fossil fuels and has resolved to develop a Reconciliation Action Plan.
 - (iii) Expressing our support for the traditional owners and communities in the Northern Territory, who have expressed their strong opposition to fracking due to the threat it poses to the climate, to their lands, waters, and rights.
 - (iv) Requesting that Origin Energy cease all plans to conduct fracking in the Northern Territory and elsewhere due to its impact on climate, communities, water, and environment and that they commit to further investment in environmentally sustainable renewable energy projects.
- (b) Forward a copy of the correspondence referred to above to all NSW Regional Organisations of Councils (ROCs).
- (c) That should this become a resolution of Council, that Council endorses the following Motion to be submitted to the 2020 National General Assembly of Local Government:

That ALGA:-

- (a) Write to all Energy companies currently proposing fracking in the Northern Territory:-
- (i) Noting that many Councils in Australia have Power Purchase Agreements with them.
 - (ii) Noting that many Councils have endorsed and must uphold - among other things: Climate Emergency Declarations, Net zero emissions targets, resolutions to divest from Fossil fuels and developed Reconciliation Action Plans.
 - (iii) Expressing our support for the traditional owners and communities in the Northern Territory, who have expressed their strong opposition to fracking due to the threat it poses to the climate, to their lands, waters, and rights.
 - (iv) Requesting that Energy companies cease all plans to conduct fracking in the Northern Territory and due to its impact on climate, communities, water, and environment and that they commit to further investment in environmentally sustainable renewable energy projects.
- (b) Forward a copy of the correspondence referred to above to all Australian Ministers for Local Government, Energy and Environment.

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

Record for the Voting:

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

Against the Motion: Councillors Brown, Kim, Lane, Moujalli

5 HERITAGE LISTING RYDE CIVIC CENTRE - Councillor Dr Peter Kim

MOTION: (Moved by Councillors Kim and Maggio)

That the General Manager place an interim Heritage Order on the Civic Centre and the Civic Hall; conduct a city wide community survey to ascertain the resident's view on its heritability; prepare a cost report to refurbish the Civic Centre at its current state; and to prepare heritage report to the Council before the expiry of Interim Heritage Order.

Note: In accordance with Section 15 of Council's adopted Code of Meeting Practice, the Mayor, Councillor Laxale requested that Councillors Clifton and Kim both withdraw their offensive comments against each other. Councillor Clifton withdrew her comments. Councillor Kim refused to withdraw his comments and moved a Motion of Dissent against the Mayor's ruling.

MOTION OF DISSENT

MOTION: (Moved by Councillor Kim)

That a Motion of Dissent be moved against the Mayor, Councillor Laxale's ruling regarding Councillor Kim's withdrawal of his offensive comments under Section 15 of Council's adopted Code of Meeting Practice.

On being put to the Meeting, Councillor Zhou abstained from voting and accordingly his vote was recorded Against the Motion. The voting on the Motion was six (6) All. The Mayor, Councillor Laxale used his casting vote Against the Motion. The Motion was **LOST**.

Record of Voting:

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

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

Note: The Mayor, Councillor Laxale again requested Councillor Kim to withdraw his offensive comments against Councillor Clifton in accordance with Section 15 of Council's adopted Code of Meeting Practice. Councillor Kim again refused to withdraw his comments.

Note: Councillor Maggio left the meeting at 10.47pm and was not present for voting on this Item.

MOTION: (Moved by The Mayor, Councillor Laxale and Councillor Gordon)

That Councillor Kim be expelled from the meeting under the provisions set out in Section 15 of Council's adopted Code of Meeting Practice, the time being 10.48pm.

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

Record of Voting:

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

Against the Motion: Councillors Brown, Kim, Lane, Moujalli, Yedelian OAM and Zhou

Note: Councillor Maggio returned to the meeting at 10.50pm.

MOTION: (Moved by Councillors Kim and Maggio)

That the General Manager place an interim Heritage Order on the Civic Centre and the Civic Hall; conduct a city wide community survey to ascertain the resident's view on its heritability; prepare a cost report to refurbish the Civic Centre at its current state; and to prepare heritage report to the Council before the expiry of Interim Heritage Order.

On being put to the Meeting, Councillor Yedelian OAM abstained from voting and accordingly his vote was recorded Against the Motion. The voting on the Motion was four (4) For and eight (8) Against. The Motion was **LOST**.

Record for the Voting:

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

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

CLOSED SESSION

ITEM 12 - REQUEST FOR TENDER COR-RFT-16/19 - CONSTRUCTION OF A MULTI LEVEL CARPARK AT 53-71 ROWE STREET, 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 13 - REQUEST FOR TENDER - COR-RFT-08/19 - RYDE CENTRAL COMMUNITY AND CULTURAL 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.

ITEM 15 – SMALL BUSINESS SUPPORT – INITIATIVES TO ASSIST SMALL BUSINESS TO CONTINUE AND RECOVER FROM THE COVID-19 EVENT

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(4) - 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 Purcell and Gordon)

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

Record for the Voting:

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

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

Note: The Council closed the meeting at 10.56pm. The public and media left the chamber.

EXTENSION OF TIME

RESOLUTION : (Moved by Councillors Clifton and Gordon)

That the meeting time be extended to allow consideration of all remaining Items on the Agenda, the time being 10.57pm.

On being put to the Meeting, the voting on the Motion was six (6) All. The Mayor, Councillor Laxale used his casting vote For the Motion. The Motion was **CARRIED**.

Record of Voting:

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

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

CONFIDENTIAL COUNCIL REPORTS

12 REQUEST FOR TENDER COR-RFT-16/19 - CONSTRUCTION OF A MULTI LEVEL CARPARK AT 53-71 ROWE STREET, EASTWOOD

RECOMMENDATION: (Moved by Councillors Purcell and Clifton)

- (a) That Council, pursuant to clause 178 (1) (a) of the Local Government (General) Regulations 2005, accepts the tender from Hutchinson Builders Pty Ltd for COR-RFT-16/19 for the lump sum amount up to \$7,656,413 (excl GST) and varied to address the inclusion of provisional items.

- (b) That Council delegate to the General Manager the authority to enter into a contract with Hutchinson Builders Pty Ltd for COR-RFT-16/19: Construction of a Multi-Level Carpark at 53-71 Rowe Street, Eastwood 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 Item (a) and (b) be subject to Hutchinson Builders Pty Ltd obtaining a corporate financial assessment, with risk mitigation measures as required, to the satisfaction of the Director - City Works.
- (d) That Council advises all the respondents of Council's decision.

Record for the Voting:

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

Against the Motion: Councillor Yedelian OAM

13 REQUEST FOR TENDER - COR-RFT-08/19 - RYDE CENTRAL COMMUNITY AND CULTURAL CENTRE

MOTION: (Moved by Councillors Purcell and Gordon)

- (a) That pursuant to Clause 178(1)(a) of the Local Government (General) Regulations 2005, Council accepts the tender from Taylor Construction Group Pty Ltd for the design and construction of the Ryde Central Community and Cultural Centre Project for a target Contract Sum of \$110,000,000 (excluding GST).
- (b) That Council advise all the respondents of Council's decision.
- (c) That Council exercise its discretion under Section 55 (3) of the Local Government Act, 1993 by not inviting tenders for services currently provided by Dixon Capital, Hawkrigde Entertainment Services, Wilde and Woollard, Taylor Thomson Whitting, ARUP and Blackett Maguire Goldsmith for the following reasons:
 - 1. The intimate knowledge the existing firms have of the project, its advanced progress and benefits that accrue from continuity of service provision;
 - 2. The professional manner in which the existing firms have responded to Council's brief to date and the timeframe in which they have delivered a feasible and viable project for Council's consideration; and

3. All firms have already undergone appropriate due diligence checks (including a competitive request for quotation process undertaken previously) and were selected as the preferred firm in each of their respective briefs
- (d) That Council approve a project budget allocation of \$125 million to meet the estimated costs associated with the project, including the target contract sum, associated project management and delivery costs and contingency costs.
- (e) That Council endorse the funding strategy to support the project budget allocation, as outlined in this report and incorporate this in Council's suite of Integrated Planning & Reporting documents.

Note: Councillors Kim and Maggio left the meeting at 12.06am and were not present for voting on this Item.

AMENDMENT: (Moved by Councillors Yedelian OAM and Kim)

That consideration of this Item be deferred until the COVID-19 pandemic is over.

Record for the Voting:

For the Amendment: Councillors Brown, Moujalli and Yedelian OAM

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

Note: Councillor Lane requested that this Item be Recommitted as he had made an error in voting.

Note: Councillors Maggio and Kim returned to the meeting at 12.09am.

RECOMMITTAL OF ITEM

RESOLUTION: (Moved by Councillors Maggio and Kim)

That this Item be Recommitted.

Record of Voting:

For the Motion: Unanimous

Note: The Item was then Recommitted.

AMENDMENT: (Moved by Councillors Yedelian OAM and Kim)

That consideration of this Item be deferred until the COVID-19 pandemic is over.

On being put to the Meeting, the voting on the Amendment was six (6) All. The Mayor, Councillor Laxale used his casting vote Against the Amendment. The Amendment was **LOST**.

Record for the Voting:

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

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

FURTHER AMENDMENT: (Moved by Councillors Gordon and Purcell)

- (a) That pursuant to Clause 178(1)(a) of the Local Government (General) Regulations 2005, Council accepts the tender from Taylor Construction Group Pty Ltd for the design and construction of the Ryde Central Community and Cultural Centre Project for a target Contract Sum of \$110,000,000 (excluding GST).
- (b) That Council advise all the respondents of Council's decision.
- (c) That Council exercise its discretion under Section 55 (3) of the Local Government Act, 1993 by not inviting tenders for services currently provided by Dixon Capital, Hawkrigde Entertainment Services, Wilde and Woollard, Taylor Thomson Whitting, ARUP and Blakett Maguire Goldsmith for the following reasons:
 - 1. The intimate knowledge the existing firms have of the project, its advanced progress and benefits that accrue from continuity of service provision;
 - 2. The professional manner in which the existing firms have responded to Council's brief to date and the timeframe in which they have delivered a feasible and viable project for Council's consideration; and
 - 3. All firms have already undergone appropriate due diligence checks (including a competitive request for quotation process undertaken previously) and were selected as the preferred firm in each of their respective briefs

- (d) That Council approve a project budget allocation of \$125 million to meet the estimated costs associated with the project, including the target contract sum, associated project management and delivery costs and contingency costs.
- (e) That Council endorse the funding strategy to support the project budget allocation, as outlined in this report and incorporate this in Council's suite of Integrated Planning & Reporting documents.
- (f) That the General Manager be authorised to immediately enact this resolution by:
 - (i) executing the contract relating to the tender from Taylor Construction Group Pty Ltd as soon as practicable; and/or
 - (ii) immediately issuing a letter to Taylor Construction Group Pty Ltd confirming that Council has accepted its tender.
- (g) That in honour of her long contribution to the City of Ryde, the community and the Arts, the main auditorium of the cultural centre be named after former Mayor, Edna Wilde OAM (on her acceptance).

On being put to the Meeting, the voting on the Further Amendment was seven (7) For and five (5) Against. The Further Amendment was **CARRIED** and then became the Motion.

Record for the Voting:

For the Amendment: The Mayor, Councillor Laxale and Councillors Clifton, Gordon, Lane, Pedersen, Purcell and Zhou

Against the Amendment: Councillors Brown, Kim, Maggio, Moujalli and Yedelian OAM

RECOMMENDATION: (Moved by Councillors Gordon and Purcell)

- (a) That pursuant to Clause 178(1)(a) of the Local Government (General) Regulations 2005, Council accepts the tender from Taylor Construction Group Pty Ltd for the design and construction of the Ryde Central Community and Cultural Centre Project for a target Contract Sum of \$110,000,000 (excluding GST).
- (b) That Council advise all the respondents of Council's decision.
- (c) That Council exercise its discretion under Section 55 (3) of the Local Government Act, 1993 by not inviting tenders for services currently provided by Dixon Capital, Hawkrigde Entertainment Services, Wilde and Woollard, Taylor Thomson Whitting, ARUP and Blakett Maguire Goldsmith for the following reasons:

1. The intimate knowledge the existing firms have of the project, its advanced progress and benefits that accrue from continuity of service provision;
 2. The professional manner in which the existing firms have responded to Council's brief to date and the timeframe in which they have delivered a feasible and viable project for Council's consideration; and
 3. All firms have already undergone appropriate due diligence checks (including a competitive request for quotation process undertaken previously) and were selected as the preferred firm in each of their respective briefs
- (d) That Council approve a project budget allocation of \$125 million to meet the estimated costs associated with the project, including the target contract sum, associated project management and delivery costs and contingency costs.
- (e) That Council endorse the funding strategy to support the project budget allocation, as outlined in this report and incorporate this in Council's suite of Integrated Planning & Reporting documents.
- (f) That the General Manager be authorised to immediately enact this resolution by:
- (i) executing the contract relating to the tender from Taylor Construction Group Pty Ltd as soon as practicable; and/or
 - (ii) immediately issuing a letter to Taylor Construction Group Pty Ltd confirming that Council has accepted its tender.
- (g) That in honour of her long contribution to the City of Ryde, the community and the Arts, the main auditorium of the cultural centre be named after former Mayor, Edna Wilde OAM (on her acceptance).

On being put to the Meeting, the voting on the Motion was six (6) All. The Mayor, Councillor Laxale used his casting vote For the Motion. The Motion was **CARRIED**.

Record for the Voting:

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

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

LATE CONFIDENTIAL COUNCIL REPORT

15 SMALL BUSINESS SUPPORT – INITIATIVES TO ASSIST SMALL BUSINESS TO CONTINUE AND RECOVER FROM THE COVID-19 EVENT

RECOMMENDATION: (Moved by the Mayor, Councillor Laxale and Councillor Gordon)

It is recommended that Council: -

- (a) Adopts the measures outlined in this report to support small business.
- (b) Publicly notifies that Council is proposing to provide financial assistance (generally consistent with the substance of this report) due to hardship experienced as a result of the COVID-19 event.
- (c) Council considers the addition of a generic hardship category under its Fees and Charges Schedule for the provision of financial assistance to address any such future natural disaster, pandemic event or similar.

Record for the Voting:

For the Motion: Unanimous

CONFIDENTIAL COUNCIL REPORT

5 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE MEETING 2/20 held on 10 March 2020

4 ADVICE ON COURT ACTIONS

Note: Councillor Clifton left the meeting at 12.27am and was not present for voting on this Item.

RECOMMENDATION: (Moved by Councillors Purcell and Gordon)

That the report of the General Counsel be received.

Record for the Voting:

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

Against the Motion: Councillors Lane and Maggio

OPEN SESSION

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

RESOLUTION: (Moved by Councillors Purcell and Gordon)

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

Record for the Voting:

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

Against the Motion: Councillor Lane

Note: Open Council resumed at 12.29am on Wednesday, 25 March 2020.

Note: Councillors Lane, Moujalli and Yedelian OAM left the meeting at 12.30am and did not return.

MATTER OF URGENCY

Councillor Zhou advised the meeting that he wished to raise a Matter of Urgency regarding a request for National COVID-19 Action.

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

Note: Councillors Clifton, Lane, Moujalli and Yedelian OAM were not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Zhou and Gordon)

That Council consider a Matter of Urgency, raised by Councillor Zhou, regarding a request for National COVID-19 Action, the time being 12.30am.

Record of Voting:

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

Against the Motion: Councillors Brown and Kim

MATTER OF URGENCY – REQUEST FOR NATIONAL COVID-19 ACTION

Note: Councillors Lane, Moujalli and Yedelian OAM were not present for consideration or voting on this Item.

Note: Councillor Clifton returned to the meeting at 12.32am.

Note: Councillor Brown left the meeting at 12.33am and did not return. He was not present for consideration or voting on this Item.

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

Note: A copy of the Handbook of COVID-19 Prevention and Treatment was tabled by Councillor Zhou in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Zhou and Gordon)

That the Mayor:-

- (a) Write to The Prime Minister of Australia and The Premier of NSW regarding COVID-19 prevention, remind them to read and respond to local Chinese speaking and Korean speaking community's appeal as per Councillor Simon Zhou's letter to Prime Minister submitted via www.pm.gov.au on 16/02/2020 and via post on 18/02/2020, and urge the federal government and state government to take stronger and more efficient action on COVID-19 prevention. The government actions required in the appeal letter dated 16/02/2020 are:
- Immediate closure of all schools, colleges and universities nationwide to reduce cross contamination of COVID-19 for a minimum 2-week period and until health authorities give the 'all clear' for education facilities to resume operation.
 - Strict control of all incoming flights to Australia including travel bans for passengers from known 'infected' countries as well as a mandatory quarantine period of 14 days for all arrivals to Australia, regardless of place of departure.
 - Strengthen epidemic prevention measures for public transportation, including mandatory monitoring/recording of body temperature, provision of face masks and hand sanitiser for all passengers.
 - Require all healthcare workers across Australia to wear masks, goggles and other epidemic prevention equipment.
 - Make public the medical system's response plan in the event of a serious national outbreak as soon as possible.

- Announce how and when the government's 'virus stimulus package' will be dispersed within the community including all eligible recipients as soon as possible.
- (b) Forward the report "Handbook of COVID-19 Prevention and Treatment Compiled According to Clinical Experience, Released by Jack Ma Foundation" to The Prime Minister of Australia The Hon. Scott Morrison MP, The Premier of NSW The Hon. Gladys Berejiklian MP, and Chief Medical Officer Professor Brendan Murphy, urge their attention on international case studies and suggest them to make international inquiries and learn from all successful examples in this global health crisis.

The translated report in English and the original report in Chinese are available at <https://covid-19.alibabacloud.com>

Record of Voting:

For the Motion: Unanimous

MATTER OF URGENCY

Councillor Maggio advised the meeting that he wished to raise a Matter of Urgency regarding taking no further action concerning the traffic conditions at the corner of Monash Road and Buffalo Road.

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

Note: Councillors Brown, Lane, Kim, Moujalli and Yedelian OAM were not present for consideration or voting on this Item.

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

That Council consider a Matter of Urgency, raised by Councillor Maggio, regarding taking no further action concerning the traffic conditions at the corner of Monash Road and Buffalo Road, the time being 12.53am.

Record of Voting:

For the Motion: Unanimous

MATTER OF URGENCY – TRAFFIC CONDITIONS MONASH ROAD AND BUFFALO ROAD

Note: Councillor Maggio WITHDREW this Matter of Urgency.

The meeting closed at 12.57am on Wednesday, 25 March 2020.

CONFIRMED THIS 28TH DAY OF APRIL 2020

Chairperson