

**Meeting Date:** Tuesday 17 March 2020  
**Location:** Council Chambers, Level 1A, 1 Pope Street, Ryde  
**Time:** 7.30pm

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

Note: Councillor Moujalli arrived at the meeting at 7.42pm during discussion on Item 1.

Note: Councillors Brown, Lane, Moujalli and Yedelian OAM left the meeting at 9.24pm and did not return.

Note: Councillor Kim left the meeting at 9.25pm and did not return.

**Apologies:** Councillor Maggio.

**Staff Present:** General Manager, Director – Customer and Community Services, Director – Corporate Services, Director – City Works, General Counsel, Manager – Communications and Engagement, Senior Coordinator – Communications, Civic Services Manager and Civic Support Officer.

### **PRAYER**

The Mayor, Councillor Laxale 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**

There were no disclosures of interest.

### **TABLING OF PETITIONS**

No Petitions were tabled.

### **ONE MINUTE SILENCE**

Councillor Yedelian OAM requested a Suspension of Standing Orders to enable Council to observe a one minute silence for the people who have lost their lives due to the Coronavirus.

### **SUSPENSION OF STANDING ORDERS**

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

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

That Council observe a one minute silence in honour of those who have lost their lives due to the Coronavirus, the time being 7.36pm.

#### **Record of the Voting:**

For the Motion: Unanimous

Note: A one minute silence was then observed.

### **RESUMPTION OF STANDING ORDERS**

**RESOLUTION:** (Moved by Councillors Purcell and Gordon)

That Standing Orders be resumed, the time being 7.38pm.

#### **Record of Voting:**

For the Motion: Unanimous

### **COUNCIL REPORT**

#### **1 DELEGATIONS TO THE GENERAL MANAGER IN HIS ABSENCE**

Note: Councillor Moujalli arrived at the meeting at 7.42pm during discussion on this Item.

**MOTION:** (Moved by Councillors Purcell and Pedersen)

- (a) That Council pursuant to Section 226(d) and Section 377 of the Local Government Act 1993, delegate authority to the Mayor and the General Manager (or their delegates) jointly to exercise any functions of Council that may lawfully be delegated under Section 377 of the Local Government Act. This should be enacted in the event that the need arises which would limit the orderly operations of Council in regards to the operation of the governing body of elected members, including the ability to convene Ordinary and Extraordinary meetings and subject to the restrictions outlined in point (b) and point (c) below.

- (b) That a list of any matters considered under such delegated authority be submitted for Council's information via BoardVantage as soon as possible following the execution of such delegation and be formally reported to the next available scheduled Ordinary Meeting of Council.
- (c) That this temporary delegation of authority only be put into effect if the elected Council is unable to meet because of a lack of a quorum from Councillors being affected by the virus. Further that this temporary delegation be put into effect if Council is unable to conduct ordinary meetings of Council due to restrictions imposed by relevant authorities and if no reasonable alternative or provision is made through the Office of Local Government in relation to the conduct of meetings i.e. via the use of technology.
- (d) That this temporary delegation also apply in light of any legislative change, direction or advice arising as a direct result of the COVID-19 situation.
- (e) That further, to ensure continuity of the role of the General Manager and pursuant to Section 351 of the Act, that Council endorse the following.
  - 1. That on and from the date of this resolution, until 30 September 2020, if the appointed General Manager is sick or otherwise absent from work for a period of 2 consecutive business days, the person holding the position of Director - Corporate Services be temporarily appointed to the position of General Manager, on and from the following day, such appointment being subject to:
    - (a) the maximum period of appointment being the period so specified by Section 351(2) of the Local Government Act,
    - (b) the appointment terminating on the day prior to the day that the General Manager returns to work;
    - (c) the person not being unable or unwilling to be so appointed.
  - 2. That if the person specified in paragraph 1 is unable or unwilling to act as General Manager, the person holding the position of Director - City Planning and Environment be appointed, subject to paragraph 1, as alternate.
  - 3. That if the person specified in paragraph 2 is unable or unwilling to act as General Manager, the person holding the position of Director - City Works be appointed, subject to paragraph 1, as alternate.
  - 4. That if the person specified in paragraph 3 is unable or unwilling to act as General Manager, the person holding the position of Director - Customer and Community Services be appointed, subject to paragraph 1, as alternate.

That a person temporarily appointed as General Manager in accordance with this resolution to have, during that period, all the delegations of the General Manager given by the Council.

**Note:** Councillor Lane raised that there were issues with the live webcast of tonight's meeting and requested the Mayor adjourn the meeting for a few minutes in order to rectify the webcast issue.

### **ADJOURNMENT**

In order to be able to reset the Webcasting System, the Mayor, Councillor Laxale adjourned the Council Meeting for five (5) minutes, the time being 7.45pm. The Council Meeting was adjourned to:

Tuesday, 17 March 2020 at 7.50pm in the Council Chambers, Level 1A, 1 Pope Street, Ryde.

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

**Apologies:** Councillor Maggio.

**Staff Present:** General Manager, Director – Customer and Community Services, Director – Corporate Services, Director – City Works, General Counsel, Manager – Communications and Engagement, Senior Coordinator – Communications, Civic Services Manager and Civic Support Officer.

### **MEETING RECONVENED**

The Mayor, Councillor Laxale reconvened the meeting at 7.52pm on Tuesday, 17 March 2020 in the Council Chambers, Level 1A, 1 Pope Street, Ryde.

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

**Apologies:** Councillor Maggio.

**Staff Present:** General Manager, Director – Customer and Community Services, Director – Corporate Services, Director – City Works, General Counsel, Manager – Communications and Engagement, Senior Coordinator – Communications, Civic Services Manager and Civic Support Officer.

## **COUNCIL REPORT**

### **1 DELEGATIONS TO THE GENERAL MANAGER IN HIS ABSENCE**

**MOTION:** (Moved by Councillors Purcell and Pedersen)

- (a) That Council pursuant to Section 226(d) and Section 377 of the Local Government Act 1993, delegate authority to the Mayor and the General Manager (or their delegates) jointly to exercise any functions of Council that may lawfully be delegated under Section 377 of the Local Government Act. This should be enacted in the event that the need arises which would limit the orderly operations of Council in regards to the operation of the governing body of elected members, including the ability to convene Ordinary and Extraordinary meetings and subject to the restrictions outlined in point (b) and point (c) below.
- (b) That a list of any matters considered under such delegated authority be submitted for Council's information via BoardVantage as soon as possible following the execution of such delegation and be formally reported to the next available scheduled Ordinary Meeting of Council.
- (c) That this temporary delegation of authority only be put into effect if the elected Council is unable to meet because of a lack of a quorum from Councillors being affected by the virus. Further that this temporary delegation be put into effect if Council is unable to conduct ordinary meetings of Council due to restrictions imposed by relevant authorities and if no reasonable alternative or provision is made through the Office of Local Government in relation to the conduct of meetings i.e. via the use of technology.
- (d) That this temporary delegation also apply in light of any legislative change, direction or advice arising as a direct result of the COVID-19 situation.
- (e) That further, to ensure continuity of the role of the General Manager and pursuant to Section 351 of the Act, that Council endorse the following.
  1. That on and from the date of this resolution, until 30 September 2020, if the appointed General Manager is sick or otherwise absent from work for a period of 2 consecutive business days, the person holding the position of Director - Corporate Services be temporarily appointed to the position of General Manager, on and from the following day, such appointment being subject to:
    - (a) the maximum period of appointment being the period so specified by Section 351(2) of the Local Government Act,
    - (b) the appointment terminating on the day prior to the day that the General Manager returns to work;
    - (c) the person not being unable or unwilling to be so appointed.

2. That if the person specified in paragraph 1 is unable or unwilling to act as General Manager, the person holding the position of Director - City Planning and Environment be appointed, subject to paragraph 1, as alternate.
3. That if the person specified in paragraph 2 is unable or unwilling to act as General Manager, the person holding the position of Director - City Works be appointed, subject to paragraph 1, as alternate.
4. That if the person specified in paragraph 3 is unable or unwilling to act as General Manager, the person holding the position of Director - Customer and Community Services be appointed, subject to paragraph 1, as alternate.

That a person temporarily appointed as General Manager in accordance with this resolution to have, during that period, all the delegations of the General Manager given by the Council.

- (f) That the Mayor, Councillor Laxale write to the Premier and the Minister for Local Government advocating for temporary changes to the Code of Meeting Practice and/or the Local Government Act to allow Council's to meet and/or pass Resolutions remotely.

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

- (a) That Council pursuant to Section 226(d) and Section 377 of the Local Government Act 1993, delegate authority to the Mayor and the General Manager (or their delegates) jointly to exercise any functions of Council that may lawfully be delegated under Section 377 of the Local Government Act with the additional exclusion of any matters concerning a voluntary planning agreement. This should be enacted in the event that the need arises which would limit the orderly operations of Council in regards to the operation of the governing body of elected members, including the ability to convene Ordinary and Extraordinary meetings and subject to the restrictions outlined in point (b) and point (c) below.
- (b) That a list of any matters considered under such delegated authority be submitted for Council's information via BoardVantage as soon as possible prior to (where practicable) the execution of such delegation and be formally reported to the next available scheduled Ordinary Meeting of Council.
- (c) That this temporary delegation of authority only be put into effect if the elected Council is unable to meet because of a lack of a quorum from Councillors being affected by the virus as verified by accompanying medical documentation. Further that this temporary delegation be put into effect if Council is unable to conduct ordinary meetings of Council due to restrictions imposed by relevant authorities and if no reasonable alternative or provision is made through the Office of Local Government in relation to the conduct of meetings i.e. via the use of technology.



- (d) That this temporary delegation only apply in the absence of any legislative change also apply in light of any legislative change, direction or advice arising as a direct result of the COVID-19 situation.
- (e) That from the date these arrangements are triggered until the commencement of the subsequent general meeting of Council (which can be renewed at subsequent general meetings for no longer than a maximum of 30 days) the General Manager and pursuant to Section 351 of the Act, that Council endorse the following.
1. That on and from the date of this resolution, until 30 September 2020, if the appointed General Manager is sick or otherwise absent from work for a period of 2 consecutive business days, the person holding the position of Director - Corporate Services be temporarily appointed to the position of General Manager, on and from the following day, such appointment being subject to:
    - (a) the maximum period of appointment being the period so specified by Section 351(2) of the Local Government Act,
    - (b) the appointment terminating on the day prior to the day that the General Manager returns to work;
    - (c) the person not being unable or unwilling to be so appointed.
  2. That if the person specified in paragraph 1 is unable or unwilling to act as General Manager, the person holding the position of Director - City Planning and Environment be appointed, subject to paragraph 1, as alternate.
  3. That if the person specified in paragraph 2 is unable or unwilling to act as General Manager, the person holding the position of Director - City Works be appointed, subject to paragraph 1, as alternate.
  4. That if the person specified in paragraph 3 is unable or unwilling to act as General Manager, the person holding the position of Director - Customer and Community Services be appointed, subject to paragraph 1, as alternate.
- That a person temporarily appointed as General Manager in accordance with this resolution to have, during that period, all the delegations of the General Manager given by the Council.
- (f) That the Mayor, Councillor Laxale write to the Premier and the Minister for Local Government advocating for temporary changes to the Code of Meeting Practice and/or the Local Government Act to allow Council's to meet and/or pass Resolutions remotely.

On being put to the Meeting, Councillor Zhou abstained from voting and accordingly his vote was recorded Against the Amendment. The voting on the Amendment was five (5) for and six (6) against. The Amendment was **LOST**.

**Record of the Voting:**

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

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

**FURTHER AMENDMENT:** (Moved by Councillors Lane and Moujalli)

- (a) That Council pursuant to Section 226(d) and Section 377 of the Local Government Act 1993, delegate authority to the Mayor and the General Manager (or their delegates) jointly to exercise any functions of Council that may lawfully be delegated under Section 377 of the Local Government Act with the additional exclusion of powers to enter into a Voluntary Planning Agreement. This should be enacted in the event that the need arises which would limit the orderly operations of Council in regards to the operation of the governing body of elected members, including the ability to convene Ordinary and Extraordinary meetings and subject to the restrictions outlined in point (b) and point (c) below.
- (b) That a list of any matters considered under such delegated authority be submitted for Council's information via BoardVantage as soon as possible prior to (where practicable) the execution of such delegation and be formally reported to the next available schedule Ordinary Meeting of Council.
- (c) That this temporary delegation of authority only be put into effect if the elected Council is unable to meet because of a lack of a quorum from Councillors being affected by the virus. Further that this temporary delegation be put into effect if Council is unable to conduct ordinary meetings of Council due to restrictions imposed by relevant authorities and if no reasonable alternative or provision is made through the Office of Local Government in relation to the conduct of meetings i.e. via the use of technology.
- (d) That when triggered, delegated powers concluding at the first of either the next general meeting of council (at which time these provisions can be renewed), or 60 days having passed.
- (e) That this temporary delegation only apply in the absence of any legislative change also apply in light of any legislative change, direction or advice arising as a direct result of the COVID-19 situation.



- (f) That further, to ensure continuity of the role of the General Manager and pursuant to Section 351 of the Act, that Council endorse the following:
1. That on and from the date of this resolution, until 30 September 2020, if the appointed General Manager is sick or otherwise absent from work for a period of 2 consecutive business days, the person holding the position of Director - Corporate Services be temporarily appointed to the position of General Manager, on and from the following day, such appointment being subject to:
    - (a) the maximum period of appointment being the period so specified by Section 351(2) of the Local Government Act,
    - (b) the appointment terminating on the day prior to the day that the General Manager returns to work;
    - (c) the person not being unable or unwilling to be so appointed.
  2. That if the person specified in paragraph 1 is unable or unwilling to act as General Manager, the person holding the position of Director - City Planning and Environment be appointed, subject to paragraph 1, as alternate.
  3. That if the person specified in paragraph 2 is unable or unwilling to act as General Manager, the person holding the position of Director - City Works be appointed, subject to paragraph 1, as alternate.
  4. That if the person specified in paragraph 3 is unable or unwilling to act as General Manager, the person holding the position of Director - Customer and Community Services be appointed, subject to paragraph 1, as alternate.

That a person temporarily appointed as General Manager in accordance with this resolution to have, during that period, all the delegations of the General Manager given by the Council.

- (g) That the Mayor, Councillor Laxale write to the Premier and the Minister for Local Government advocating for temporary changes to the Code of Meeting Practice and/or the Local Government Act to allow Council's to meet and/or pass Resolutions remotely.

On being put to the Meeting, Councillor Zhou abstained from voting and accordingly his vote was recorded Against the Amendment. The voting on the Amendment was five (5) for and six (6) against. The Amendment was **LOST**.

**Record of the Voting:**

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

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

**RESOLUTION:** (Moved by Councillors Purcell and Pedersen)

Note: Councillor Zhou left the meeting at 9.22pm and was not present for voting on this Item.

- (a) That Council pursuant to Section 226(d) and Section 377 of the Local Government Act 1993, delegate authority to the Mayor and the General Manager (or their delegates) jointly to exercise any functions of Council that may lawfully be delegated under Section 377 of the Local Government Act. This should be enacted in the event that the need arises which would limit the orderly operations of Council in regards to the operation of the governing body of elected members, including the ability to convene Ordinary and Extraordinary meetings and subject to the restrictions outlined in point (b) and point (c) below.
- (b) That a list of any matters considered under such delegated authority be submitted for Council's information via BoardVantage as soon as possible following the execution of such delegation and be formally reported to the next available scheduled Ordinary Meeting of Council.
- (c) That this temporary delegation of authority only be put into effect if the elected Council is unable to meet because of a lack of a quorum from Councillors being affected by the virus. Further that this temporary delegation be put into effect if Council is unable to conduct ordinary meetings of Council due to restrictions imposed by relevant authorities and if no reasonable alternative or provision is made through the Office of Local Government in relation to the conduct of meetings i.e. via the use of technology.
- (d) That this temporary delegation also apply in light of any legislative change, direction or advice arising as a direct result of the COVID-19 situation.
- (e) That further, to ensure continuity of the role of the General Manager and pursuant to Section 351 of the Act, that Council endorse the following.
  - 1. That on and from the date of this resolution, until 30 September 2020, if the appointed General Manager is sick or otherwise absent from work for a period of 2 consecutive business days, the person holding the position of Director - Corporate Services be temporarily appointed to the position of General Manager, on and from the following day, such appointment being subject to:
    - (a) the maximum period of appointment being the period so specified by Section 351(2) of the Local Government Act,
    - (b) the appointment terminating on the day prior to the day that the General Manager returns to work;
    - (c) the person not being unable or unwilling to be so appointed.

2. That if the person specified in paragraph 1 is unable or unwilling to act as General Manager, the person holding the position of Director - City Planning and Environment be appointed, subject to paragraph 1, as alternate.
3. That if the person specified in paragraph 2 is unable or unwilling to act as General Manager, the person holding the position of Director - City Works be appointed, subject to paragraph 1, as alternate.
4. That if the person specified in paragraph 3 is unable or unwilling to act as General Manager, the person holding the position of Director - Customer and Community Services be appointed, subject to paragraph 1, as alternate.

That a person temporarily appointed as General Manager in accordance with this resolution to have, during that period, all the delegations of the General Manager given by the Council.

- (f) That the Mayor, Councillor Laxale write to the Premier and the Minister for Local Government advocating for temporary changes to the Code of Meeting Practice and/or the Local Government Act to allow Council's to meet and/or pass Resolutions remotely.

**Record of the Voting:**

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

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

Note: Councillor Zhou returned to the meeting at 9.23pm.

Note: Councillors Brown, Lane, Moujalli and Yedelian OAM left the meeting at 9.24pm and did not return.

**MATTER OF URGENCY**

Councillor Zhou advised the meeting that he wished to raise a Matter of Urgency regarding forwarding on community concerns from the Chinese Community surrounding the spread of the Coronavirus to the Prime Minister.

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

Note: Councillor Kim left the meeting at 9.25pm and did not return.

## **ADJOURNMENT**

In accordance with Clause 5.11 of the Code of Meeting Practice, the Mayor, Councillor Laxale adjourned the Council Meeting due to a lack of a quorum, the time being 9.25pm. The Council Meeting was adjourned to:

Tuesday, 24 March 2020 at the conclusion of the next Ordinary Council Meeting in the Council Chambers, Level 1A, 1 Pope Street, Ryde.

**Councillors Present:** The Mayor, Councillor Laxale and Councillors, Clifton, Gordon, Pedersen, Purcell and Zhou.

**Councillors not present:** Councillors Brown, Kim, Lane, Moujalli and Yedelian OAM.

**Apologies:** Councillor Maggio.

**Staff Present:** General Manager, Director – Customer and Community Services, Director – Corporate Services, Director – City Works, General Counsel, Manager – Communications and Engagement, Senior Coordinator – Communications, Civic Services Manager and Civic Support Officer.

## **MEETING RECONVENED**

The Mayor, Councillor Laxale reconvened the meeting at 12.58am on Wednesday, 25 March 2020 in the Council Chambers, Level 1A, 1 Pope Street, Ryde.

**Councillors Present:** The Mayor, Councillor Laxale and Councillors Clifton, Gordon, Maggio, Pedersen, Purcell and Zhou.

**Councillors not present:** Councillors Brown, Kim and Yedelian OAM.

**Apologies:** Councillors Lane and Moujalli.

**Staff Present:** General Manager, Director – Customer and Community Services, Director – Corporate Services, Director – City Planning and Environment, Director – City Works, General Counsel, Executive Manager – Strategy and Innovation, Manager – Communications and Engagement, Civic Services Manager and Civic Support Officer.

The Mayor, Councillor Laxale advised the meeting that there were no Items for consideration on this Agenda and closed the meeting.

The meeting closed at 12.59am on Wednesday, 25 March 2020

CONFIRMED THIS 28TH DAY OF APRIL 2020

Chairperson