

Meeting Date: Tuesday 23 February 2021
Location: Online Audio Visual Meeting
Time: 7.00pm

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

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1 ITEMS PUT WITHOUT DEBATE

Report prepared by: Civic Services Manager**File No.:** CLM/20/1/1/2 - BP20/1238

REPORT SUMMARY

In accordance with Council's Code of Meeting Practice, Council can determine those matters on the Agenda that can be adopted without the need for any discussion.

RECOMMENDATION:

That Council determine the Items on Council's Agenda that will be adopted without debate.

OR

That Council determine all Items on the Agenda.

2 CONFIRMATION OF MINUTES - Council Meeting held on 8 December 2020

Report prepared by: Civic Services Manager**File No.:** CLM/20/1/1/2 - BP20/1239

REPORT SUMMARY

In accordance with Council's Code of Meeting Practice, a motion or discussion with respect to such minutes shall not be in order except with regard to their accuracy as a true record of the proceedings.

RECOMMENDATION:

That the Minutes of the Council Meeting 14/20, held on 8 December 2020 be confirmed.

ATTACHMENTS

- 1 MINUTES - Ordinary Council Meeting - 8 December 2020

ITEM 2 (continued)

ATTACHMENT 1

**Council Meeting
MINUTES OF MEETING NO. 14/20**

Meeting Date: Tuesday 8 December 2020
Location: Online Audio Visual Meeting
Time: 7.02pm

The Mayor, Councillor Laxale opened the online audio visual meeting at 7.02pm. As a quorum was not present the Mayor adjourned the meeting.

ADJOURNMENT

In accordance with Clause 5.11 of the Code of Meeting Practice, The Mayor, Councillor Laxale adjourned the Council Meeting as a quorum was not present, the time being 7.06pm. The Council Meeting was adjourned to:

Tuesday, 15 December 2020 at 7.00pm to be held as an online audio visual meeting.

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

Apologies: Councillors Brown, Kim, Lane, Maggio, Moujalli and Yedelian OAM.

Staff Present: General Manager, Acting Director – Customer and Community Services, Director – Corporate Services, Director – City Planning and Environment, Director – City Works, General Counsel, Manager – Parks, Manager – Operations, Manager – Community and Ranger Services, Manager – People and Culture, Acting Manager – Corporate Governance, Senior Coordinator – Community Engagement, System Support Officer, Civic Services Manager and Civic Support Officer.

MEETING RECONVENED

The Mayor, Councillor Laxale reconvened the online audio visual meeting at 7.01pm on Tuesday, 15 December 2020.

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

Note: Councillor Kim left the meeting at 10.58pm and did not return. He was not present for consideration or voting on Confidential Item 11, Confidential Item 12 and the Matter of Urgency raised by Councillor Lane (considered in Confidential Session).

Apologies: Nil.

ITEM 2 (continued)

ATTACHMENT 1

Staff Present: General Manager, Acting Director – Customer and Community Services, Acting Director – Corporate Services, Director – City Planning and Environment, Director – City Works, General Counsel, Acting Manager – Corporate Governance, Manager – Parks, Manager – Operations, Manager – Urban Strategy, Manager – Assets and Infrastructure, Senior Coordinator – Community Services, Senior Coordinator – Infrastructure Services, Senior Coordinator – Community Engagement, Economic Development Coordinator, Senior Strategic Planner, System Support Officer, 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

The Mayor, Councillor Laxale declared a Special Disclosure of Pecuniary Interest in Item 8 – Local Housing Strategy Review and Exhibition and Item 9 – Post Exhibition Report on the Multi-Dwelling Housing Planning Proposal, for the reason that he has an interest in the land and an associated person of his has an interest in the land.

Councillor Clifton declared a Special Disclosure of Pecuniary Interest in Item 8 – Local Housing Strategy Review and Exhibition and Item 9 – Post Exhibition Report on the Multi-Dwelling Housing Planning Proposal, for the reason that she has an interest in the land.

Councillor Pedersen declared a Special Disclosure of Pecuniary Interest in Item 8 - Local Housing Strategy Review and Exhibition and Item 9 – Post Exhibition Report on the Multi-Dwelling Housing Planning Proposal, for the reason that she has an interest in the land.

Councillor Gordon declared a Special Disclosure of Pecuniary Interest in Item 9 – Post Exhibition Report on the Multi-Dwelling Housing Planning Proposal, for the reason that he has an interest in the land.

Councillor Gordon declared a Special Disclosure of Pecuniary Interest in Item 9 – Post Exhibition Report on the Multi-Dwelling Housing Planning Proposal, for the reason that associated person of his has an interest in the land.

ITEM 2 (continued)

ATTACHMENT 1

Councillor Lane declared a Special Disclosure of Pecuniary Interest in Item 8 - Local Housing Strategy Review and Exhibition and Item 9 – Post Exhibition Report on the Multi-Dwelling Housing Planning Proposal, for the reason that he has an interest in the land and an associated person of his has an interest in the land.

Councillor Kim declared a Special Disclosure of Pecuniary Interest in Item 8 – Local Housing Strategy Review and Exhibition and Item 9 – Post Exhibition Report on the Multi-Dwelling Housing Planning Proposal, for the reason that he has an interest in the land.

Councillor Kim disclosed a Pecuniary Interest in Item 10 – Traffic and Parking matters approved by the Ryde Traffic Committee Meeting – November Meeting for the reason that he owns a business in Rowe Street, 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
Jill Tapping	Item 9 – Post Exhibition Report on the Multi-Dwelling Housing Planning Proposal
Sheryl Barton	Item 9 – Post Exhibition Report on the Multi-Dwelling Housing Planning Proposal
Peter Wotton	Item 9 – Post Exhibition Report on the Multi-Dwelling Housing Planning Proposal
Philip Peake	Item 9 – Post Exhibition Report on the Multi-Dwelling Housing Planning Proposal
Ashley and Rae Isaacs	Item 9 – Post Exhibition Report on the Multi-Dwelling Housing Planning Proposal
Barbara Poulter	Item 9 – Post Exhibition Report on the Multi-Dwelling Housing Planning Proposal

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

No written submissions were made to Council.

ITEM 2 (continued)

ATTACHMENT 1

ORDER OF BUSINESS

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

That Council now consider the following Items (8 and 9) in conjunction, the time being 7.13pm:-

- **Item 8** – Local Housing Strategy Review and Exhibition.
- **Item 9** – Post Exhibition Report on the Multi-Dwelling Housing Planning Proposal.

Record of Voting:

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

Against the Motion: Councillors Kim and Yedelian OAM

PROCEDURAL MOTION

MOTION: (Moved by Councillors Yedelian OAM and Kim)

That all written submissions received be read out to the meeting.

On being put to the meeting, the voting on the Motion was five (5) For and seven (7) Against. The Motion was **LOST**.

Record of Voting:

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

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

COUNCIL REPORTS

8 LOCAL HOUSING STRATEGY REVIEW AND EXHIBITION

9 POST EXHIBITION REPORT ON THE MULTI DWELLING HOUSING PLANNING PROPOSAL

Note: The Mayor, Councillor Laxale declared a Special Disclosure of Pecuniary Interest in this Item for the reason that he has an interest in the land and an associated person of his has an interest in the land.

Note: Councillor Clifton declared a Special Disclosure of Pecuniary Interest in this Item for the reason that she has an interest in the land.

ITEM 2 (continued)

ATTACHMENT 1

Note: Councillor Pedersen declared a Special Disclosure of Pecuniary Interest in this Item for the reason that she has an interest in the land.

Note: Councillor Gordon declared a Special Disclosure of Pecuniary Interest in this Item for the reason that he has an interest in the land.

Note: Councillor Gordon declared a Special Disclosure of Pecuniary Interest in this Item for the reason that associated person of his has an interest in the land.

Note: Councillor Lane declared a Special Disclosure of Pecuniary Interest in this Item for the reason that he has an interest in the land and an associated person of his has an interest in the land.

Note: Councillor Kim declared a Special Disclosure of Pecuniary Interest in this Item for the reason that he has an interest in the land.

Note: An email from the Director – City Planning and Environment dated 10 December 2020 was tabled in relation to this Item and a copy is ON FILE.

Note: Jill Tapping, Sheryl Barton, Peter Wotton, Philip Peake, Ashley and Rae Isaacs and Barbara Poulter made a written submission in relation to this Item and copies are ON FILE.

MOTION: (Moved by the Mayor, Councillor Laxale and Councillor Zhou)

That Council:-

- (a) That, in response to issues raised during the exhibition, Council amend the exhibited housing planning proposal in the following manner:-
- i. Decrease the minimum lot size for permissibility and subdivision of Dual Occupancy Development from 750m² to 580m² to increase the availability of this option to the community.
 - ii. Increase the minimum lot width for permissibility of Dual Occupancy development from 12 metres to 15 metres to better align Council's LEP with the SEPP and to provide better design outcomes.
 - iii. Include in the Savings and Transitional provisions of the planning proposal the ability for Dual Occupancy development, either lodged but not determined, approved and not constructed, or existing and constructed, that meet the current Torrens Title subdivision requirements in RLEP 2014, be permitted to subdivide using the current LEP 2014 provisions of minimum 580m² lot size. This savings provision is not to apply to new applications lodged after gazettal of this planning proposal (such new applications will be subject to the new provisions).

ITEM 2 (continued)

ATTACHMENT 1

- iv. Insert a time limit of 24 months in the Savings Clause.
- (b) Council's resolution be immediately forwarded to the Department of Planning, Industry and Environment and the amended planning proposal be submitted requesting that the Plan be made.
- (c) Acknowledgement letters be sent to all those who lodged a submission advising them of the Council resolution and thanking them for their submission.
- (d) Note the issues raised in the submissions relating to the Housing Strategy received during the public exhibition period and adopt the recommended amendments in the report made in response to those submissions.
- (e) Adopt the inclusion of flexibility in the timing of delivery in the Local Housing Strategy identified in the addendum to the strategy, and a reduced 2021-2026 Housing Forecast/Target of 2,700 (a reduction of 1,700 from 4,400 suggested in the draft).
- (f) Adopt the City of Ryde Local Housing Strategy, amended by this resolution, and forward a copy of the adopted Strategy to the Department of Planning, Industry and Environment for review and approval.
- (g) Authorise the General Manager to make minor administrative and wording changes to the draft Housing Strategy that are consistent with the intent of this resolution, so that the Local Housing Strategy can be finalised.
- (h) Review the Local Housing Strategy as soon as practicable following the 2021 Census updates to the population projections.
- (i) That the Mayor, Councillor Laxale write to Minister Stokes requesting a special exemption for villas to be permissible in the R2 Zone.

AMENDMENT: (Moved by Councillors Gordon and Clifton)

That Council:-

- (a) That, in response to issues raised during the exhibition, Council amend the exhibited housing planning proposal in the following manner:-
 - i. Decrease the minimum lot size for permissibility and subdivision of Dual Occupancy Development from 750m² to 700m² to increase the availability of this option to the community.
 - ii. Increase the minimum lot width for permissibility of Dual Occupancy development from 12 metres to 15 metres to better align Council's LEP with the SEPP and to provide better design outcomes.

ITEM 2 (continued)

ATTACHMENT 1

- iii. Include in the Savings and Transitional provisions of the planning proposal the ability for Dual Occupancy development, either lodged but not determined, approved and not constructed, or existing and constructed, that meet the current Torrens Title subdivision requirements in RLEP 2014, be permitted to subdivide using the current LEP 2014 provisions of minimum 580m² lot size. This savings provision is not to apply to new applications lodged after gazettal of this planning proposal (such new applications will be subject to the new provisions).
- iv. Insert a time limit of 24 months in the Savings Clause.
- (b) Council's resolution be immediately forwarded to the Department of Planning, Industry and Environment and the amended planning proposal be submitted requesting that the Plan be made.
- (c) Acknowledgement letters be sent to all those who lodged a submission advising them of the Council resolution and thanking them for their submission.
- (d) Note the issues raised in the submissions relating to the Housing Strategy received during the public exhibition period and adopt the recommended amendments in the report made in response to those submissions.
- (e) Adopt the inclusion of flexibility in the timing of delivery in the Local Housing Strategy identified in the addendum to the strategy, and a reduced 2021-2026 Housing Forecast/Target of 2,700 (a reduction of 1,700 from 4,400 suggested in the draft).
- (f) Adopt the City of Ryde Local Housing Strategy, amended by this resolution, and forward a copy of the adopted Strategy to the Department of Planning, Industry and Environment for review and approval.
- (g) Authorise the General Manager to make minor administrative and wording changes to the draft Housing Strategy that are consistent with the intent of this resolution, so that the Local Housing Strategy can be finalised.
- (h) Review the Local Housing Strategy as soon as practicable following the 2021 Census updates to the population projections.
- (i) That the Mayor, Councillor Laxale write to Minister Stokes requesting a special exemption for villas to be permissible in the R2 Zone.

On being put to the meeting, the voting on the Amendment was three (3) For and nine (9) Against. The Amendment was **LOST**.

ITEM 2 (continued)

ATTACHMENT 1

Record for the Voting:

For the Amendment: Councillors Clifton, Gordon and Moujalli

Against the Amendment: The Mayor, Councillor Laxale and Councillors Brown, Kim, Lane, Maggio, Pedersen, Purcell, Yedelian OAM and Zhou

FURTHER AMENDMENT: (Moved by Councillors Lane and Brown)

1. That Council:-

- (a) Note the issues raised in the submissions received during the public exhibition period and adopt the recommended amendments made in response to those submissions.
- (b) Adopt the inclusion of flexibility in the timing of delivery in the Local Housing Strategy identified in the addendum to the strategy, and a reduced 2021-2026 Housing Forecast/Target of 2,500 (a reduction of 1,900 from 4,400 suggested in the draft), of which, a target of 0 is set for high-rise development.
- (c) Adopt the City of Ryde Local Housing Strategy, amended as specified in this amendment, and forward a copy of the adopted Strategy to the Department of Planning, Industry and Environment for review and approval.
- (d) Authorise the General Manager to make minor administrative and wording changes to the draft strategy that are consistent with the intent of this resolution, so that the Local Housing Strategy can be finalised;
 - i. That a summary of all changes made under this provision be reported to Council as soon as practicable;
- (e) Review the Local Housing Strategy as soon as practicable following the 2021 Census updates to the population projections;
 - i. In response, initiate a comprehensive and ongoing biennial reform program of the Ryde Local Environment Plan; and
- (f) Send acknowledgement letters to those who lodged a submission to advise them of Council's resolution and to thank them for their participation.

ITEM 2 (continued)

ATTACHMENT 1

2. That Council:-
 - (a) Amend the exhibited housing planning proposal in the following manner:-
 - i. Decrease the minimum lot size for permissibility and subdivision of Dual Occupancy Development from 750m² to 580m² to increase the availability of this option to the community.
 - ii. Increase the minimum lot width for permissibility of Dual Occupancy development from 12 metres to 18 metres to provide better design outcomes.
 - iii. Include in the Savings and Transitional provisions of the planning proposal the ability for Dual Occupancy development, either lodged but not determined, approved and not constructed, or existing and constructed, that meet the current Torrens Title subdivision requirements in RLEP 2014, be permitted to subdivide using the current LEP 2014 provisions. This savings provision is not to apply to new applications lodged after gazettal of this planning proposal (such new applications will be subject to the new provisions).
 - iv. Insert a time limit of 18 months in the Savings Clause.
 - (b) Forward the amended planning proposal to the Department of Planning, Industry and Environment requesting that the Plan be made;
 - (c) Send acknowledgement letters to those who lodged a submission to advise them of Council's resolution and to thank them for their participation.

Note: The Mayor, Councillor Laxale ruled that the component of the Further Amendment in Part 1(b) above which reads 'of which, a target of 0 is set for high-rise development' out of order in accordance with Appendix B Clause 6 of Council's Code of Meeting Practice.

MOTION OF DISSENT

MOTION: (Moved by Councillors Lane and Brown)

That a Motion of Dissent be moved against the Mayor, Councillor Laxale's ruling that the component of the Further Amendment in Part 1(b) above which reads 'of which, a target of 0 is set for high-rise development' out of order in accordance with Appendix B Clause 6 of Council's Code of Meeting Practice.

ITEM 2 (continued)

ATTACHMENT 1

On being put to the meeting, the voting on the Motion was five (5) For and seven (7) Against. The Motion was **LOST**.

Record for the Voting:

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

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

FURTHER AMENDMENT: (Moved by Councillors Lane and Brown)

1. That Council:-
 - (a) Note the issues raised in the submissions received during the public exhibition period and adopt the recommended amendments made in response to those submissions.
 - (b) Adopt the inclusion of flexibility in the timing of delivery in the Local Housing Strategy identified in the addendum to the strategy, and a reduced 2021-2026 Housing Forecast/Target of 2,500 (a reduction of 1,900 from 4,400 suggested in the draft).
 - (c) Adopt the City of Ryde Local Housing Strategy, amended as specified in this amendment, and forward a copy of the adopted Strategy to the Department of Planning, Industry and Environment for review and approval.
 - (d) Authorise the General Manager to make minor administrative and wording changes to the draft strategy that are consistent with the intent of this resolution, so that the Local Housing Strategy can be finalised;
 - i. That a summary of all changes made under this provision be reported to Council as soon as practicable;
 - (e) Review the Local Housing Strategy as soon as practicable following the 2021 Census updates to the population projections;
 - i. In response, initiate a comprehensive and ongoing biennial reform program of the Ryde Local Environment Plan; and
 - (f) Send acknowledgement letters to those who lodged a submission to advise them of Council's resolution and to thank them for their participation.

ITEM 2 (continued)

ATTACHMENT 1

2. That Council:-

- (a) Amend the exhibited housing planning proposal in the following manner:-
- i. Decrease the minimum lot size for permissibility and subdivision of Dual Occupancy Development from 750m² to 580m² to increase the availability of this option to the community.
 - ii. Increase the minimum lot width for permissibility of Dual Occupancy development from 12 metres to 18 metres to provide better design outcomes.
 - iii. Include in the Savings and Transitional provisions of the planning proposal the ability for Dual Occupancy development, either lodged but not determined, approved and not constructed, or existing and constructed, that meet the current Torrens Title subdivision requirements in RLEP 2014, be permitted to subdivide using the current LEP 2014 provisions. This savings provision is not to apply to new applications lodged after gazettal of this planning proposal (such new applications will be subject to the new provisions).
 - iv. Insert a time limit of 18 months in the Savings Clause.
- (b) Forward the amended planning proposal to the Department of Planning, Industry and Environment requesting that the Plan be made;
- (c) Send acknowledgement letters to those who lodged a submission to advise them of Council's resolution and to thank them for their participation.

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

Record for the Voting:

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

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

ITEM 2 (continued)

ATTACHMENT 1

FURTHER AMENDMENT: (Moved by Councillors Kim and Maggio)

That Council:-

- (a) That, in response to issues raised during the exhibition, Council amend the exhibited housing planning proposal in the following manner:-
 - i. Decrease the minimum lot size for permissibility and subdivision of Dual Occupancy Development from 750m² to 580m² to increase the availability of this option to the community.
 - ii. Increase the minimum lot width for permissibility of Dual Occupancy development from 12 metres to 15 metres to better align Council's LEP with the SEPP and to provide better design outcomes.
 - iii. Include in the Savings and Transitional provisions of the planning proposal the ability for Dual Occupancy development, either lodged but not determined, approved and not constructed, or existing and constructed, that meet the current Torrens Title subdivision requirements in RLEP 2014, be permitted to subdivide using the current LEP 2014 provisions of minimum 580m² lot size. This savings provision is not to apply to new applications lodged after gazettal of this planning proposal (such new applications will be subject to the new provisions).
 - iv. Insert a time limit of 5 years in the Savings Clause.
- (b) Council's resolution be immediately forwarded to the Department of Planning, Industry and Environment and the amended planning proposal be submitted requesting that the Plan be made.
- (c) Acknowledgement letters be sent to all those who lodged a submission advising them of the Council resolution and thanking them for their submission.
- (d) Note the issues raised in the submissions relating to the Housing Strategy received during the public exhibition period and adopt the recommended amendments in the report made in response to those submissions.
- (e) Adopt the inclusion of flexibility in the timing of delivery in the Local Housing Strategy identified in the addendum to the strategy, and a reduced 2021-2026 Housing Forecast/Target of 2,700 (a reduction of 1,700 from 4,400 suggested in the draft).
- (f) Adopt the City of Ryde Local Housing Strategy, amended by this resolution, and forward a copy of the adopted Strategy to the Department of Planning, Industry and Environment for review and approval.

ITEM 2 (continued)

ATTACHMENT 1

- (g) Authorise the General Manager to make minor administrative and wording changes to the draft Housing Strategy that are consistent with the intent of this resolution, so that the Local Housing Strategy can be finalised.
- (h) Review the Local Housing Strategy as soon as practicable following the 2021 Census updates to the population projections.
- (i) That the Mayor, Councillor Laxale write to Minister Stokes requesting a special exemption for villas to be permissible in the R2 Zone.
- (j) That the Mayor organise a meeting with State and Federal MP and interested Councillors to collaborate on how to desist over-development and improve infrastructure requirements in Ryde in January 2021.

On being put to the meeting, the voting on the Amendment was three (3) For and nine (9) Against. The Amendment was **LOST**.

Record for the Voting:

For the Amendment: Councillors Kim, Maggio and Yedelian OAM

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

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

That Council:-

- (a) That, in response to issues raised during the exhibition, Council amend the exhibited housing planning proposal in the following manner:-
 - i. Decrease the minimum lot size for permissibility and subdivision of Dual Occupancy Development from 750m² to 580m² to increase the availability of this option to the community.
 - ii. Increase the minimum lot width for permissibility of Dual Occupancy development from 12 metres to 15 metres to better align Council's LEP with the SEPP and to provide better design outcomes.
 - iii. Include in the Savings and Transitional provisions of the planning proposal the ability for Dual Occupancy development, either lodged but not determined, approved and not constructed, or existing and constructed, that meet the current Torrens Title subdivision requirements in RLEP 2014, be permitted to subdivide using the current LEP 2014 provisions of minimum 580m² lot size. This savings provision is not to apply to new applications lodged after gazettal of this planning proposal (such new applications will be subject to the new provisions).

ITEM 2 (continued)

ATTACHMENT 1

- iv. Insert a time limit of 24 months in the Savings Clause.
- (b) Council's resolution be immediately forwarded to the Department of Planning, Industry and Environment and the amended planning proposal be submitted requesting that the Plan be made.
 - (c) Acknowledgement letters be sent to all those who lodged a submission advising them of the Council resolution and thanking them for their submission.
 - (d) Note the issues raised in the submissions relating to the Housing Strategy received during the public exhibition period and adopt the recommended amendments in the report made in response to those submissions.
 - (e) Adopt the inclusion of flexibility in the timing of delivery in the Local Housing Strategy identified in the addendum to the strategy, and a reduced 2021-2026 Housing Forecast/Target of 2,700 (a reduction of 1,700 from 4,400 suggested in the draft).
 - (f) Adopt the City of Ryde Local Housing Strategy, amended by this resolution, and forward a copy of the adopted Strategy to the Department of Planning, Industry and Environment for review and approval.
 - (g) Authorise the General Manager to make minor administrative and wording changes to the draft Housing Strategy that are consistent with the intent of this resolution, so that the Local Housing Strategy can be finalised.
 - (h) Review the Local Housing Strategy as soon as practicable following the 2021 Census updates to the population projections.
 - (i) That the Mayor, Councillor Laxale write to Minister Stokes requesting a special exemption for villas to be permissible in the R2 Zone.

On being put to the meeting, Councillor Clifton abstained from voting and accordingly her vote was recorded Against the Motion.

Record for the Voting:

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

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

ITEM 2 (continued)

ATTACHMENT 1

1 ITEMS PUT WITHOUT DEBATE

RESOLUTION: (Moved by Councillors Gordon and Purcell)

That Council adopt Items 2, 5, 10 and 14 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

2 CONFIRMATION OF MINUTES - Council Meeting held on 24 November 2020

RESOLUTION: (Moved by Councillors Gordon and Purcell)

That the Minutes of the Council Meeting 13/20, held on 24 November 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

5 SOCIAL INCLUSION ADVISORY COMMITTEE RESIGNATIONS

RESOLUTION: (Moved by Councillors Gordon and Purcell)

(a) That Council endorse the resignations of Ms Janice Perrett and Ms Jen Humphrey from the Social Inclusion Advisory Committee.

(b) That Council write to Ms Janice Perrett and Ms Jen Humphrey to thank them for their participation on the Social Inclusion Advisory Committee.

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

ITEM 2 (continued)

ATTACHMENT 1

10 TRAFFIC AND PARKING MATTERS APPROVED BY THE RYDE TRAFFIC COMMITTEE MEETING - NOVEMBER MEETING

Note: Councillor Kim disclosed a Pecuniary Interest in this Item for the reason that he owns a business on Rowe Street, Eastwood.

RESOLUTION: (Moved by Councillors Gordon and Purcell)

That Council endorses the following Ryde Traffic Committee recommendations:

(A) ROWE STREET (EAST), EASTWOOD – CHANGE OF PARKING RESTRICTIONS

The following changes be made to on-street parking controls in Rowe Street (East), Eastwood:

- a) 1P (8AM-6PM, MON_SUN) parking along Rowe Street be temporarily changed to 2P (8AM-6PM, MON_SUN) until the completion of the Rowe Street East carpark in July 2021.
- b) Convert a single 1P car park space to “NO STOPPING, MOTORCYCLES EXCEPTED” in front of the Eastwood Hotel.

(B) 12 TRELAWNEY STREET, EASTWOOD – CHANGE OF PARKING RESTRICTIONS

The following changes be made to on-street parking controls in Trelawney Street, Eastwood:

- a) That “MOTORCYCLES ONLY” parking be installed in front of the 12 Trelawny Street Eastwood (between the driveway and speed hump).

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

ITEM 2 (continued)

ATTACHMENT 1

14 NEW NOMINATIONS FOR THE SPORT AND RECREATION AND WHEELED SPORTS ADVISORY COMMITTEE

RESOLUTION: (Moved by Councillors Gordon and Purcell)

That Council endorses nominees, Donna Armstrong and Andrew Hill, as new members of the Sport and Recreation and Wheeled Sports Advisory Committee until the expiry of the current term in September 2021.

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

MAYORAL MINUTES

MM13/20 ADDITIONAL RECYCLING WASTE SERVICE – CHRISTMAS PERIOD – Mayor, Councillor Jerome Laxale

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

- (a) That Council recognise the extra recycling waste generated by Christmas and associated festivities and re-affirm its commitment to reducing the amount of recyclable waste going into the red bin.
- (b) That Council endorse this at call Christmas service being permanent for single dwellings, strata and apartments from 2021 onwards and a contract variation be negotiated if required.
- (c) That the service is to be funded from Council's waste reserve.

Record for the Voting:

For the Motion: Unanimous

ITEM 2 (continued)

ATTACHMENT 1

MM14/20 RESIGNATION OF STEVE KLUDASS - DIRECTOR OF CORPORATE SERVICES – Mayor, Councillor Jerome Laxale

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

- (a) That Council note the work undertaken by Steve Kludass during his term with Council.
- (b) That Council record its thanks for the work and duties undertaken by Steve Kludass.
- (c) That the General Manager present a Certificate of Appreciation from all Councillors to Mr Kludass.

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 Brown, Clifton, Gordon, Lane, Maggio, Moujalli, Pedersen, Purcell, Yedelian OAM and Zhou

Against the Motion: Councillor Kim

COUNCIL REPORTS

1 ITEMS PUT WITHOUT DEBATE

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

2 CONFIRMATION OF MINUTES - Council Meeting held on 24 November 2020

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

ITEM 2 (continued)

ATTACHMENT 1

3 ECONOMIC DEVELOPMENT STRATEGY (2020-2024)

RESOLUTION: (Moved by Councillors Maggio and Clifton)

- (a) That Council endorse the draft Economic Development Strategy (2020-24).
- (b) That the Strategy be placed on public exhibition for 28 days (3 February – 7 March 2021).
- (c) That should any objections be received during the exhibition they are to be reported to Council as soon as is practicable; should there be no objections the Strategy is to be finalised and adopted and Councillors advised by CIB.
- (d) That Goal 6 be added stating ‘that as an Employer of Choice, the City of Ryde encourages locals to work for our City.’
- (e) That the reports are to be included in the quarterly Corporate Reporting.

Record for the Voting:

For the Motion: Unanimous

MATTER OF URGENCY

Councillor Lane advised the meeting that he wished to raise a Matter of Urgency regarding Council urgently taking all necessary steps to allow for the City of Ryde to express and interest in participating in the JLT Local Council Class Action (NSW), the time being 9.54pm.

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

MATTER OF URGENCY – JLT CLASS ACTION

RESOLUTION: (Moved by Councillors Clifton and Purcell)

That this matter be dealt with in Confidential Session.

Record for the Voting:

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

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

ITEM 2 (continued)

ATTACHMENT 1

COUNCIL REPORTS

4 SUMMER SEASON SPORTSGROUND HIRE FEES

RESOLUTION: (Moved by Councillors Maggio and Brown)

- (a) That Council adopts the resolution to not increase the summer fees or charges (including sportsground hire) between the period 20 October 2020 to 21 March 2021.
- (b) That all Councillors be invited to a joint photo shoot on Friday afternoon, 18 December 2020.

Record for the Voting:

For the Motion: Unanimous

5 SOCIAL INCLUSION ADVISORY COMMITTEE RESIGNATIONS

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

6 POWER OUTAGE SUPPORT

RESOLUTION: (Moved by Councillors Lane and Kim)

- (a) That Council notes the availability of the City of Ryde Library Service to provide support services and resources to the community during extended power outages and other emergency events.
- (b) That Council notes the communication strategies that have been developed to ensure the community is kept informed and aware of available support services during extended power outages and other emergency events.
- (c) That Council investigates options for the disposal of food spoilage for inclusion in the City of Ryde Emergency Waste Management Plan.
- (d) That Council provides information, tools and support to the community to better inform and prepare the community for power outages.

Record for the Voting:

For the Motion: Unanimous

ITEM 2 (continued)

ATTACHMENT 1

7 CITY OF RYDE CCTV POLICY

RESOLUTION: (Moved by Councillors Yedelian OAM and Maggio)

- (a) That Council adopts the CCTV Systems Policy, dated 23 November 2020.
- (b) That a brief be circulated to Councillors through the CIB in relation to CCTV equipment and costings.

Record for the Voting:

For the Motion: Unanimous

8 LOCAL HOUSING STRATEGY REVIEW AND EXHIBITION

Note: This Item was dealt with earlier in the meeting in conjunction with Item 9 – Post Exhibition Report on the Multi Dwelling Housing Planning Proposal as detailed in these Minutes.

9 POST EXHIBITION REPORT ON THE MULTI DWELLING HOUSING PLANNING PROPOSAL

Note: This Item was dealt with earlier in the meeting in conjunction with Item 8 – Local Housing Strategy Review and Exhibition as detailed in these Minutes.

10 TRAFFIC AND PARKING MATTERS APPROVED BY THE RYDE TRAFFIC COMMITTEE MEETING - NOVEMBER MEETING

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

LATE COUNCIL REPORTS

13 REFERENDUM REGARDING POPULAR ELECTION OF MAYOR

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

- (a) That Council, as part of the proposed 2021 local government election, reaffirm its desire to conduct a constitutional referendum, seeking a response to the question as to whether the City of Ryde electors support a popularly elected Mayor.

ITEM 2 (continued)

ATTACHMENT 1

- (b) That all costs associated with the referendum be funded from Council's Election Reserve.
- (c) That if the referendum is carried, Council adopt a 13 Councillor model, with equal number of Councillors in each ward plus the popularly elected Mayor.

AMENDMENT: (Moved by Councillors Lane and Brown)

- (a) That Council, as part of the proposed 2021 local government election, reaffirm its desire to conduct a constitutional referendum, seeking a response to the question as to whether the City of Ryde electors support a popularly elected Mayor.
- (b) That Council conduct a simultaneous referendum regarding abolishing wards and increasing the number of Councillors to 15.
- (c) That all costs associated with the referendum be funded from Council's Election Reserve.

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

Record for the Voting:

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

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

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

- (a) That Council, as part of the proposed 2021 local government election, reaffirm its desire to conduct a constitutional referendum, seeking a response to the question as to whether the City of Ryde electors support a popularly elected Mayor.
- (b) That all costs associated with the referendum be funded from Council's Election Reserve.
- (c) That if the referendum is carried, Council adopt a 13 Councillor model, with equal number of Councillors in each ward plus the popularly elected Mayor.

ITEM 2 (continued)

ATTACHMENT 1

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, Moujalli, Pedersen, Purcell, Yedelian OAM and Zhou

Against the Motion: Councillors Brown, Kim and Lane

14 NEW NOMINATIONS FOR THE SPORT AND RECREATION AND WHEELED SPORTS ADVISORY COMMITTEE

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

15 LOCAL GOVERNMENT REMUNERATION TRIBUNAL DETERMINATION – RECATERGORISATION OF CITY OF RYDE FROM METROPOLITAN MEDIUM TO METROPOLITAN LARGE COUNCIL

MOTION: (Moved by Councillors Purcell and Gordon)

- (a) That Council acknowledges the Local Government Remuneration Tribunal determination that categorises the City of Ryde as a Metropolitan Large Council.
- (b) That Council determine to fix the fee for Councillors and the Mayor for 2020/21 to the maximum for a Metropolitan Large Council as detailed in Table 2 within this report, effective 1 July 2020, and be funded from savings in the 2020/21 Operational Plan as part of the December Quarterly Budget Review.

AMENDMENT: (Moved by Councillors Yedelian OAM and Brown)

- (a) That Council acknowledges the Local Government Remuneration Tribunal determination that categorises the City of Ryde as a Metropolitan Large Council.
- (b) That Council determine to fix the fee for Councillors and the Mayor for 2020/21 to the Councillors \$25,790.00 not adopt the maximum of \$30,410.00 for a Metropolitan Large Council as detailed in Table 2 within this report, and that Council determine Mayor's fee to \$68,530.00 not adopt the maximum of \$88,600.00 effective 1 July 2020.

ITEM 2 (continued)

ATTACHMENT 1

On being put to the Meeting, Councillors Maggio and Zhou abstained from voting and accordingly their vote was recorded Against the Amendment. The voting on the Amendment was five (5) For and seven (7) Against. The Amendment was LOST. The Motion was then put and **CARRIED**.

Record for the Voting:

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

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

RESOLUTION: (Moved by Councillors Purcell and Gordon)

- (a) That Council acknowledges the Local Government Remuneration Tribunal determination that categorises the City of Ryde as a Metropolitan Large Council.
- (b) That Council determine to fix the fee for Councillors and the Mayor for 2020/21 to the maximum for a Metropolitan Large Council as detailed in Table 2 within this report, effective 1 July 2020, and be funded from savings in the 2020/21 Operational Plan as part of the December Quarterly Budget Review.

Record for the Voting:

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

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

QUESTIONS BY COUNCILLORS AS PER POLICY

1 QUESTIONS WITH NOTICE - Councillor Penny Pedersen

Question 1:

Given litter has been photographed by the public overflowing close to the river, can City of Ryde Council provide extra bins or larger bins at litter collection points where capacity is not currently sufficient – particularly on those collection points closest to Parramatta River and its tributaries?

ITEM 2 (continued)

ATTACHMENT 1

Answer 1:

There is a total of 21 bin stations located in the Putney Park area. Up until now, bin stations were serviced on Friday in preparation of Saturday's usage. Parks staff attending on Sunday have historically collected any loose rubbish and left the bagged material next to the bin stations for collection on Monday morning. In addition, three (3) larger 1100 litre bins are placed around the park during December and January to cater for the increased volumes. Council will investigate into installing the below structures in the high use areas with Councils branding and educational stickers to reduce overflowing bins.



Staff will continue to monitor the situation and provide photographic evidence to assist in determining the success, or otherwise, of the various measures outlined in this response.

The waste team can assist through providing the public with education on reducing waste particularly when they are utilising Council public places.

Question 2:

If extra bins are not able to be supplied could staff increase collections over weekends?

Answer 2:

In addition to the extra bins mentioned above, the following foreshore parks have been added to the scheduled run of bin servicing for Saturday:

- Putney Park
- Bennelong Point
- Anderson Park
- Kissing Point Park

ITEM 2 (continued)

ATTACHMENT 1

Staff will continue to monitor the situation and assess whether the additional servicing and the new stations above will be adequate to address the issue.

Question 3:

Does Council have a map showing where all public bin collection points are located and the capacity of each of those bins and what days and how often on each of those days are the bins emptied?

Answer 3:

A map showing bin station locations is below.



Prior to this current situation, bin stations were serviced Friday and Monday. This was considered adequate for the volume of material generated. More recent changes to the usage of the Recreation and Open Space areas suggests the current arrangement is not meeting user demands. As a result, the frequency of collection now includes Sunday morning to empty bin stations from the Saturday usage of the parks.

Question 4:

Has Council considered installing bin capacity sensors and monitoring apps to optimise collection management?

Answer 4:

This has been considered, however, the cost benefit is not justified at this time. Previous research has identified to implement the technology efficiently and effectively it would have to be done so throughout the LGA. There is a need for back to base technology to read the sensors. As the technology develops, staff will continue to monitor the feasibility of installing the required infrastructure across the LGA.

ITEM 2 (continued)

ATTACHMENT 1

Question 5:

What is the suitability and cost associated with the installation of a solar compacting bin at collection points where overflowing bins risk allowing litter to blow into the river?

Answer 5:

The implementation of such technology has been previously investigated by Council's Waste Team. Detailed costings were obtained in 2018 for solar compacting bins. The rental cost is circa \$6,000 per bin per annum. This does not include collection costs. However, it is recommended that such an option only be considered if other improvements, such as increased service frequency and/or larger bin stations have limited success.

2 QUESTIONS WITH NOTICE - Councillor Roy Maggio

Question 1:

Please provide status on 5 Kennedy Street, Gladesville (tree matters).

Answer 1:

Following reports from the community of alleged illegal tree works at 5 Kennedy Street Gladesville, staff have been reviewing information provided by the property owner. This review was completed last week and Council staff have determined that it is not warranted to pursue action against either the property owner or the contracted arborist for illegal tree works. The owner of the property will be advised accordingly.

CLOSED SESSION

ITEM 11 - REQUEST FOR TENDER - COR-RFT 05/20 - FLOOD STUDIES HARMONISATION

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

ITEM 2 (continued)

ATTACHMENT 1

ITEM 12 - 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 the Mayor, Councillor Laxale and Councillor Maggio)

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

On being put to the meeting, Councillor Kim abstained and accordingly his vote was recorded against the Motion.

Record for the Voting:

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

Against the Motion: Councillors Kim, Lane and Yedelian OAM

Note: The Council closed the meeting at 10.55pm. The public and media left the webcast.

CONFIDENTIAL COUNCIL REPORTS

11 REQUEST FOR TENDER - COR-RFT 05/20 - FLOOD STUDIES HARMONISATION

Note: Councillor Kim left the meeting at 10.58pm and did not return. He was not present for consideration or voting on this Item.

RECOMMENDATION: (Moved by Councillors Purcell and Pedersen)

- (a) Pursuant to clause 178 (1) (a) of the Local Government (General) Regulations 2005, Council accept the tender from WMAwater for COR-RFT-5/20 to the amount of \$276,770.00 ex GST for the Flood Harmonisation Study as recommended in the Tender Evaluation Report.
- (b) That Council delegate to the General Manager the authority to enter into a contract with WMAwater for COR-RFT-5/20: Flood Harmonisation Study on the terms contained within the tender and for minor amendments to be made to the contract documents.

ITEM 2 (continued)

ATTACHMENT 1

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

Record for the Voting:

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

Against the Motion: Councillor Maggio

12 ADVICE ON COURT ACTIONS

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

RECOMMENDATION: (Moved by Councillors Purcell and Pedersen)

That the report of the General Counsel be received.

Record for the Voting:

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

Against the Motion: Councillors Lane and Maggio

MATTER OF URGENCY – JLT CLASS ACTION

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

MOTION: (Moved by Councillors Lane and Brown)

That Council urgently take all necessary steps to allow for the City of Ryde to express interest in participating in the JLT Local Council Class Action (NSW) being run by Quinn Emanuel Urquhart & Sullivan, noting that as a client of JLT between 2009-2018, the City of Ryde alongside several other local Councils in NSW may have been significantly overcharged as a result of JLT's failure to properly provide insurance broking services to NSW Councils.

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

Record for the Voting:

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

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

ITEM 2 (continued)

ATTACHMENT 1

OPEN SESSION

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

MOTION: (Moved by Councillors Purcell and Clifton)

- (a) That the Council resolve itself into open Council.
- (b) That the recommendations of Items considered in Closed Session be received and adopted as a resolution of Council without any alteration or amendment thereto.
- (c) That all outstanding Items be deferred to the next Ordinary Council Meeting, to be held on Tuesday, 23 February 2021.

AMENDMENT: (Moved by Councillors Yedelian OAM and Maggio)

- (a) That the Council resolve itself into open Council.
- (b) That the recommendations of Items considered in Closed Session be received and adopted as a resolution of Council without any alteration or amendment thereto.
- (c) That the meeting be adjourned and reconvene on Tuesday, 22 December 2020 at 7.00pm.

On being put to the meeting the voting on the Amendment was four (4) For and seven (7) Against. The Amendment was **LOST**. The Motion was then put and **CARRIED**.

Record for the Voting:

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

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

RESOLUTION: (Moved by Councillors Purcell and Clifton)

- (a) That the Council resolve itself into open Council.
- (b) That the recommendations of Items considered in Closed Session be received and adopted as a resolution of Council without any alteration or amendment thereto.
- (c) That all outstanding Items be deferred to the next Ordinary Council Meeting, to be held on Tuesday, 23 February 2021.

ITEM 2 (continued)

ATTACHMENT 1

Record for the Voting:

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

Against the Motion: Councillors Lane and Yedelian OAM

Note: Open Council resumed at 11.38pm.

NOTICES OF MOTION

1 DEFERRED NOTICE OF MOTION: POLICY REGISTER - Councillor Dr Peter Kim

Note: This Item was deferred and will be dealt with at the Council Meeting on 23 February 2021.

2 DEFERRED NOTICE OF MOTION: IMPROVE INFRASTRUCTURE - Councillor Dr Peter Kim

Note: This Item was deferred and will be dealt with at the Council Meeting on 23 February 2021.

3 LITTER OVERFLOWING FROM BINS ALONG PARRAMATTA RIVER - Councillor Penny Pedersen

Note: This Item was deferred and will be dealt with at the Council Meeting on 23 February 2021.

4 CONSULTATION PROCESS - Councillor Roy Maggio

Note: This Item was deferred and will be dealt with at the Council Meeting on 23 February 2021.

5 MAINTENANCE POLICY FOR TREES PLANTED ON NATURE STRIPS AND COUNCIL OWNED LAND - Councillor Roy Maggio

Note: This Item was deferred and will be dealt with at the Council Meeting on 23 February 2021.

ITEM 2 (continued)

ATTACHMENT 1

6 REMOVE AND REPLACE MAYORAL NEWS COLUMN - Councillor Dr Peter Kim

Note: This Item was deferred and will be dealt with at the Council Meeting on 23 February 2021.

The meeting closed at 11.38pm on 15 December 2020.

CONFIRMED THIS 23RD DAY OF FEBRUARY 2021

Chairperson

3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 1/21 held on 9 February 2021

Report prepared by: Civic Services Manager

File No.: CLM/20/1/1/2 - BP20/1244

REPORT SUMMARY

Attached are the Minutes of the Works and Community Committee Meeting 1/21 held on 9 February 2021. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

Items 1, 2, 3, 5 and 6 were dealt with by the Committee within its delegated powers.

The following Committee recommendation for Item 4 is submitted to Council for determination in accordance with the delegations set out in Council's Code of Meeting Practice relating to Charters, functions and powers of Committees:

4 NOMINATIONS FOR MEMBERSHIP OF THE RECONCILIATION ACTION WORKING GROUP

RECOMMENDATION: (Moved by Councillors Kim and Clifton)

- (a) That Council endorse the nominations of Ms. Jessica Herder, Ms. Kylie Tarleton, Ms. Michelle Lawrence, Ms. Lillian Hong, Ms. Alison Salt and Mr. Gaurav Patni for a position on the Reconciliation Action Working Group.
- (b) That Council writes to the six nominees officially welcoming them, as members of the Reconciliation Action Working Group.

Record of the Voting:

For the Motion: Councillors Clifton, Gordon, Kim, Pedersen and Purcell

Against the Motion: Councillor Brown

Note: This matter will be dealt with at the Council Meeting to be held on **23 FEBRUARY 2021** as dissenting votes were recorded.

ATTACHMENTS

- 1 MINUTES - Works and Community Committee Meeting - 9 February 2021**

ITEM 3 (continued)

ATTACHMENT 1

**Works and Community Committee Meeting
MINUTES OF MEETING NO. 1/21**

Meeting Date: Tuesday 9 February 2021
Location: Online Audio Visual Meeting
Time: 6.00pm

Councillors Present: Councillors Purcell (Chairperson), Brown, Clifton, Gordon, Kim and Pedersen.

Apologies: Nil.

Absent: Councillors Maggio and Yedelian OAM.

Staff Present: General Manager, Acting Director – Customer and Community Services, Acting Director – Corporate Services, Acting Director – City Planning and Environment, Director – City Works, Manager – Parks, Senior Coordinator – Community Services, System Support Officer, Civic Services Manager and Civic Support Officer.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Works and Community Committee Meeting held on 10 November 2020

RESOLUTION: (Moved by Councillors Clifton and Pedersen)

That the Minutes of the Works and Community Committee Meeting 8/20, held on 10 November 2020, be confirmed.

Record of the Voting:

For the Motion: Unanimous

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

ITEM 3 (continued)

ATTACHMENT 1

2 ITEMS PUT WITHOUT DEBATE

RESOLUTION: (Moved by Councillors Pedersen and Gordon)

That the Committee adopt Item 3 and Item 6 on the Committee Agenda as per the recommendations in the reports.

Record of the Voting:

For the Motion: Unanimous

3 ADOPTION OF THE ELS HALL PARK PLAN OF MANAGEMENT

RESOLUTION: (Moved by Councillors Pedersen and Gordon)

- (a) That Council adopt the ELS Hall Park Plan of Management in accordance with Section 40 of *the Local Government Act 1993*.
- (b) That in accordance with Section 40A and 47G of the *Local Government Act 1993*, Council adopt the recategorisations as set out in the Public Hearing and Submissions Report from Parkland Planners to bring these in line with the changes as outlined in the ELS Hall Park, Greenwood Park and Booth Reserve Masterplan adopted by Council in May 2019.
- (c) That staff write to thank all residents who participated in the ELS Hall Park Plan of Management and inform them of Council's resolution.

Record of the Voting:

For the Motion: Unanimous

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

6 TRAFFIC AND PARKING MATTERS APPROVED BY THE RYDE TRAFFIC COMMITTEE MEETING - JANUARY 2021

RESOLUTION: (Moved by Councillors Pedersen and Gordon)

That Council endorses the following Ryde Traffic Committee recommendation:

(A) 176-186 BLAXLAND ROAD, RYDE – SIGNAGE AND LINEMARKING PLAN

The following changes be made to on-street parking controls in Blaxland Road, Ryde:

- Conversion of the existing 2hr Parking signs in front of 176-186 Blaxland Road, Ryde to "NO PARKING 5AM - 11AM MONDAY - FRIDAY WASTE VEHICLE EXCEPTED/2P PARKING 11AM – 6PM MONDAY - FRIDAY".

ITEM 3 (continued)

ATTACHMENT 1

- Re-instatement of shared use path line marking on the footpath directly in front of 176-186 Blaxland Road, Ryde that clearly indicates the shared use path.
- Install signage indicating the end of the shared use paths.
- Install “NO STOPPING” signage directly opposite 176-186 Blaxland Road, Ryde to assist with the maneuvering Council’s garbage truck in exiting the proposed on-street loading zone.

Record of the Voting:

For the Motion: Unanimous

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

3 ADOPTION OF THE ELS HALL PARK PLAN OF MANAGEMENT

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

4 NOMINATIONS FOR MEMBERSHIP OF THE RECONCILIATION ACTION WORKING GROUP

RECOMMENDATION: (Moved by Councillors Kim and Clifton)

- (a) That Council endorse the nominations of Ms. Jessica Herder, Ms. Kylie Tarleton, Ms. Michelle Lawrence, Ms. Lillian Hong, Ms. Alison Salt and Mr. Gaurav Patni for a position on the Reconciliation Action Working Group.
- (b) That Council writes to the six nominees officially welcoming them, as members of the Reconciliation Action Working Group.

Record of the Voting:

For the Motion: Councillors Clifton, Gordon, Kim, Pedersen and Purcell

Against the Motion: Councillor Brown

Note: This matter will be dealt with at the Council Meeting to be held on **23 FEBRUARY 2021** as dissenting votes were recorded.

ITEM 3 (continued)

ATTACHMENT 1

5 ADOPTION OF THE UPDATED LAND CATEGORISATION FOR GANNAN PARK - Generic Plan of Management 2020

RESOLUTION: (Moved by Councillors Pedersen and Clifton)

- (a) That in accordance with Section 40A and 47G of the *Local Government Act 1993*, Council adopt the recategorisations of parts of Gannan Park as set out in the *Public Hearing and Submissions Report* prepared by Parkland Planners (dated 18 January 2021) to bring these in line with the changes as outlined in the Gannan Park and McCauley Park Masterplan adopted by Council in July 2019.
- (b) That Council update *Appendix C – Maps Series* which relate to the *Generic Plan of Management – Parks and General Community Use* (adopted November 2020) and *Generic Plan of Management – Sportsgrounds* (adopted November 2020) to reflect the recategorisations of parts of Gannan Park as set out in the *Public Hearing and Submissions Report* prepared by Parkland Planners (dated 18 January 2021).
- (c) That staff write to thank the residents that participated in the public hearing process and inform them of Council’s resolution and a commitment to no greater than one senior field and one junior field.

Record of the Voting:

For the Motion: Unanimous

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

6 TRAFFIC AND PARKING MATTERS APPROVED BY THE RYDE TRAFFIC COMMITTEE MEETING - JANUARY 2021

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

The meeting closed at 6.18pm

CONFIRMED THIS 9TH DAY OF MARCH 2021

Chairperson

4 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE MEETING 1/21 held on 9 February 2021

Report prepared by: Civic Services Manager
File No.: CLM/20/1/1/2 - BP20/1245

REPORT SUMMARY

Attached are the Minutes of the Finance and Governance Committee Meeting 1/21 held on 9 February 2021. The Minutes will be listed for confirmation at the next Finance and Governance Committee Meeting.

Items 1, 2, 3 and 6 were dealt with by the Committee within its delegated powers.

The following Committee recommendations for Items 4 and 5 are submitted to Council for determination in accordance with the delegations set out in Council's Code of Meeting Practice relating to Charters, functions and powers of Committees:

4 INVESTMENT REPORT AS AT 31 DECEMBER 2020

RECOMMENDATION: (Moved by Councillors Purcell and Pedersen)

That Council endorse the Investment Report as at 31 December 2020.

Record of the Voting:

For the Motion: Councillors Brown, Clifton, Gordon, Pedersen and Purcell

Against the Motion: Councillor Kim

Note: This matter will be dealt with at the Council Meeting to be held on **23 FEBRUARY 2021** as dissenting votes were recorded.

5 2021 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA) NSW ANNUAL CONFERENCE - 18 TO 20 MARCH 2021

RECOMMENDATION: (Moved by Councillors Purcell and Pedersen)

That Council endorse the Mayor, Councillor Laxale and Councillor Pedersen's request to attend the 2021 Australian Local Government Women's Association (ALGWA) NSW Annual Conference, including attendance fees, travel and other associated expenses.

ITEM 4 (continued)**Record of the Voting:**

For the Motion: Councillors Brown, Clifton, Gordon, Pedersen and Purcell

Against the Motion: Councillor Kim

Note: This matter will be dealt with at the Council Meeting to be held on **23 FEBRUARY 2021** as dissenting votes were recorded and it is outside the Committee's delegations.

ATTACHMENTS

1 MINUTES - Finance and Governance Committee Meeting - 9 February 2021

ITEM 4 (continued)

ATTACHMENT 1

**Finance and Governance Committee Meeting
MINUTES OF MEETING NO. 1/21**

Meeting Date: Tuesday 9 February 2021
Location: Online Audio Visual Meeting
Time: 6.45pm

Councillors Present: Councillors Clifton (Chairperson), Brown, Gordon, Kim, Pedersen and Purcell.

Apologies: Councillor Maggio.

Staff Present: General Manager, Acting Director – Customer and Community Services, Acting Director – Corporate Services, Acting Director – City Planning and Environment, Director – City Works, Chief Financial Officer, System Support Officer, Civic Services Manager and Civic Support Officer.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Finance and Governance Committee Meeting held on 10 November 2020

RESOLUTION: (Moved by Councillors Gordon and Pedersen)

That the Minutes of the Finance and Governance Committee 4/20, held on 10 November 2020, be confirmed.

Record of the Voting:

For the Motion: Unanimous

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

2 ITEMS PUT WITHOUT DEBATE

RESOLUTION: (Moved by Councillors Pedersen and Purcell)

That the Committee adopt Item 3 and Item 6 on the Committee Agenda as per the recommendations in the reports.

Record of the Voting:

For the Motion: Unanimous

ITEM 4 (continued)

ATTACHMENT 1

3 INVESTMENT REPORT AS AT 30 NOVEMBER 2020

RESOLUTION: (Moved by Councillors Pedersen and Purcell)

That Council endorse the Investment Report as at 30 November 2020.

Record of the Voting:

For the Motion: Unanimous

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

6 INVESTMENT REPORT AS AT 31 JANUARY 2021

RESOLUTION: (Moved by Councillors Pedersen and Purcell)

That Council endorse the Investment Report as at 31 January 2021.

Record of the Voting:

For the Motion: Unanimous

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

3 INVESTMENT REPORT AS AT 30 NOVEMBER 2020

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

4 INVESTMENT REPORT AS AT 31 DECEMBER 2020

RECOMMENDATION: (Moved by Councillors Purcell and Pedersen)

That Council endorse the Investment Report as at 31 December 2020.

Record of the Voting:

For the Motion: Councillors Brown, Clifton, Gordon, Pedersen and Purcell

Against the Motion: Councillor Kim

Note: This matter will be dealt with at the Council Meeting to be held on **23 FEBRUARY 2021** as dissenting votes were recorded.

ITEM 4 (continued)

ATTACHMENT 1

5 2021 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA) NSW ANNUAL CONFERENCE - 18 TO 20 MARCH 2021

RECOMMENDATION: (Moved by Councillors Purcell and Pedersen)

That Council endorse the Mayor, Councillor Laxale and Councillor Pedersen's request to attend the 2021 Australian Local Government Women's Association (ALGWA) NSW Annual Conference, including attendance fees, travel and other associated expenses.

Record of the Voting:

For the Motion: Councillors Brown, Clifton, Gordon, Pedersen and Purcell

Against the Motion: Councillor Kim

Note: This matter will be dealt with at the Council Meeting to be held on **23 FEBRUARY 2021** as dissenting votes were recorded and it is outside the Committee's delegations.

LATE REPORT

6 INVESTMENT REPORT AS AT 31 JANUARY 2021

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

The meeting closed at 6.56pm

CONFIRMED THIS 9TH DAY OF MARCH 2021

Chairperson

5 DECEMBER QUARTERLY REVIEW REPORT - FOUR YEAR DELIVERY PLAN 2020-2024 AND 2020/2021 OPERATIONAL PLAN

Report prepared by: Chief Financial Officer
File No.: FIM/19/516/1 - BP21/53

REPORT SUMMARY

Council's Four-Year Delivery Plan 2020-2024 and One Year 2020/21 Operational Plan sets out the strategic and financial objectives for the year. These plans also detail the goals and performance measures for Council's seven key outcome areas, and the services and projects that Council plans to deliver in 2020/21.

The attached document includes details for each of the seven outcome areas detailing the targets adopted by Council and the performance to date in achieving those targets by 30 June 2021. The document includes a financial summary for each key outcome area and a progress status report on all capital and non-capital projects by program area for the 2020/2021 financial year. Also included is Council's compliance reporting obligations in accordance with the Code of Accounting Practice and Financial Reporting.

This review brings to account a range of necessary income and expenditure adjustments, all of which are offset by other compensating income and expenditure adjustments and/or are offset by Council's Internal Reserves.

The proposed December 2020 Quarterly Review budget adjustments will have no net impact on Council's current working capital balance of \$4.50 million. This level of working capital is considered adequate given it maintains Council's minimum uncommitted working capital balance at \$4.50 million.

RECOMMENDATION:

- (a) That the report of the December 2020 Quarterly Review Statement - Four Year Delivery Plan 2020 - 2024 and One Year 2020/21 Operational Plan, *Quarter Two, October– December 2020* be received and endorsed by Council.
- (b) That the proposed budget adjustments and project changes summarised in **ATTACHMENT 1** to the report, resulting in no net impact on Council's projected Working Capital position of \$4.50 million (as at 30 June 2021) be endorsed by Council.

ATTACHMENTS

- 1 Quarterly Review Report - Second Quarter - October to December 2020 - CIRCULATED UNDER SEPARATE COVER

ITEM 5 (continued)

Report Prepared By:

Pav Kuzmanovski
Chief Financial Officer

Report Approved By:

Marnie Mitchell
Acting Director - Corporate Services

ITEM 5 (continued)

Discussion

The Quarterly Budget Review Statement (QBRS) is prepared in accordance with the requirements of the Code of Accounting Practice and Financial Reporting. This report provides an overview of Council's forecast financial position as at 30 June 2021 and the adjustments required to ensure Council is financially sustainable. All forecast results are projections as at 30 June 2021 and final figures are subject to external audit.

To ensure Council is informed of key deliverables and the tracking of these deliverables, the *Quarterly Review Report, Four Year Delivery Plan 2020-2024 including One Year 2020/21 Operational Plan, Quarter Two, October – December 2020* is provided for in **ATTACHMENT 1 – CIRCULATED UNDER SEPARATE COVER** and includes:

- General Manager's Introduction – including financial management and corporate performance overview, providing a 'snapshot' of Council's performance during the quarter.
- Outcome Summaries – including overview, operational indicators, financial summaries, performance measures and a summarised status of all of Council's capital and non-capital projects.
- Quarterly Budget Review Reporting – provides a financial overview of the project changes, budget adjustments and other reporting requirements mandated by Code of Accounting Practice and Financial Reporting.

Budget Adjustments and Working Capital

Table 1, in this report, is a summary of the proposed changes in the December 2020 Quarterly Review. This review brings to account a net increase of \$3.57 million in Capital Works funded by a combination of reserves and grants.

As outlined in the September 2020 Quarterly Review, a State Government Ministerial Direction was provided to all Council's that allowed developers to defer payments of \$7.11 contributions from Construction Certificate to Occupation Certificate. The impact of this decision has resulted in a \$11 million downward projection of \$7.11 income for this financial year (\$15 million to \$4 million). This will result in capital works being deferred from the 2021/22 and 2022/23 financial year into to future years. Further details of these deferrals will be presented to Councillors as a part of the draft 2021/22 Workshop for projects scheduled in March.

ITEM 5 (continued)
TABLE 1 – WORKING CAPITAL SUMMARY OF BUDGET ADJUSTMENTS

<i>Key Outcome Areas</i>	<i>Original Budget 2020/2021 (\$'000)</i>	<i>C/OVER Budget 2020/2021 (\$'000)</i>	<i>Approved Budget 2020/2021 (\$'000)</i>	<i>Proposed Changes 2020/2021 (\$'000)</i>	<i>PROPOSED Budget 2020/2021 (\$'000)</i>	<i>ACTUAL YTD 2020/2021 (\$'000)</i>
INCOME FROM CONTINUING OPERATIONS						
Rates and annual charges	98,436	-	98,548	166	98,714	49,375
User charges and fees	12,651	-	12,690	247	12,936	7,261
Interest and investment revenue	3,724	-	3,700	-	3,700	2,015
Other revenues	10,795	-	10,907	(194)	10,713	6,646
Grants & contributions provided for operating purposes	6,151	100	4,569	407	4,976	3,053
Grants & contributions provided for capital purposes	15,764	490	17,530	(3,168)	14,362	6,212
Net gain from the disposal of assets					-	
TOTAL INCOME FROM CONTINUING OPERATIONS	147,520	590	147,944	(2,542)	145,402	74,563
EXPENSES FROM CONTINUING OPERATIONS						
Employee benefits and on-costs	53,591	-	53,648	107	53,755	23,408
Borrowing costs	183	-	183	-	183	24
Materials and contracts	33,045	1,328	34,942	2,302	37,244	11,967
Depreciation and amortisation	21,804	-	21,804	(671)	21,133	10,567
Other expenses	24,597	-	24,420	(1,449)	22,971	9,667
Net loss from the disposal of assets					-	
TOTAL EXPENSES FROM CONTINUING OPERATIONS	133,220	1,328	134,997	288	135,285	55,634
NET OPERATING RESULT	14,300	(738)	12,947	(2,831)	10,117	18,929
Capital Expenditure and Repayments to Liability						
Capital Expenditure	80,640	21,792	105,684	3,569	109,253	21,304
Loan Repayment	317	-	317	-	317	153
Lease Payment	1,981	-	1,981	-	1,981	1,220
TOTAL CAPITAL EXPENDITURE AND REPAYMENTS TO LIABILITY	82,938	21,792	107,982	3,569	111,551	22,677
TOTAL FUNDING REQUIRED	68,638	22,531	95,035	6,399	101,434	3,748
Reserves Drawdown	45,414	22,531	71,811	7,070	78,881	(7,669)
Depreciation Contra	23,224	-	23,224	(671)	22,553	11,416
TOTAL FUNDING	68,638	22,531	95,035	6,399	101,434	3,748
NET BUDGET POSITION	-	-	-	-	-	-
WORKING CAPITAL	4,500	-	4,500	4,500	-	4,500

A list of the detailed 2020/21 budget adjustments and project changes can be found in 'Quarterly Review Report, Four Year Delivery Plan 2020-2024 including One Year 2020/21 Operational Plan, Quarter Two, October – December 2020'

ITEM 5 (continued)

Working Capital Summary

Following the completion of the 2019/20 Financial Statements, Council maintained a Working Capital balance of \$4.50 million, as at 30 June 2020. In the adopted 4 Year Delivery Program and 1 Year Operational Plan 2020/2021, Council's forecast available Working Capital position remains at \$4.50 million, at 30 June 2021.

In the December Quarterly Review, the proposed net budget adjustments will result in no changes to Council's Working Capital position.

Opening Working Capital Balance	\$4.50m
September Adjustments (net)	\$0
December Adjustments (net)	\$0
Closing Working Capital Balance	\$4.50m

COVID-19 Financial Update

In adopting the 2020/21 Operational Plan budget, a number of adjustments were made to Council's base budget and capital works program to ensure Council was financially sustainable throughout the COVID-19 pandemic on the basis that the pandemic would ease by 31 December 2020 and that an update would be provided as a part of ongoing Quarterly Budget Reviews.

The following are the key revenue items that were reduced in adopting the 2020/21 COVID-19 impacted budget (reported to Council in June 2020). Below is a summary of how these revenue items are tracking year to date and their expected projections as at 30 June 2021. Any additional savings will be returned to the Asset Replacement Reserve to replenish the source of funding for these initial revenue reductions.

Revenue Item	COVID-19 related adjustment*	December 2020 Update
RALC Income	\$2.76M reduction	It is projected that RALC income will exceed the COVID-19 impacted budget for the 2020/21 financial year. An adjustment will be made in the next quarterly review to reflect this additional income if the projections remain on track.
Parking Control Income	\$2.50M reduction	It is projected that the Parking Control income will not meet the COVID-19 impacted budget for the 2020/21 financial year due to lower than anticipated business activity in Macquarie Park. A budget adjustment has been made in this quarterly review to reflect this revised projection.

ITEM 5 (continued)

Revenue Item	COVID-19 related adjustment*	December 2020 Update
Community and Commercial Lease Income	\$0.45M reduction	It is projected that the Community and Commercial Lease income will meet the COVID-19 impacted budget for the 2020/21 financial year. This will be monitored during the next quarter.
Investment Income	\$0.45M reduction	It is projected that the Investment income will exceed the COVID-19 impacted budget for the 2020/21 financial year. An adjustment will be made in the next quarterly review to reflect this additional income if the projections remain on track.
Parks and Sportsfields Income	\$0.32M reduction	It is projected that the Parks and Sportsfields income will meet the COVID-19 impacted budget for the 2020/21 financial year on basis that no further fee waivers are granted. If further fee waivers are granted, an appropriate funding source will need to be identified.
Frozen Indexation of Fees and Charges until 1 January 2021	\$0.25M reduction	Council's Fees and Charges have incorporated the indexation into it's new Fees and Charges. No further action required.
Environmental Health Income	\$0.25M reduction	It is projected that Environmental Health income will meet the COVID-19 impacted budget for the 2020/21 financial year. This will be monitored during the next quarter.

The revenue items will be monitored during the quarter and reported in the next quarterly review.

Financial Implications

As a result of the 2020 December Quarterly Review, Council's available Working Capital is projected to be maintained at \$4.50 million as at 30 June 2021. There will be no net drawdown on Working Capital during this review.

Council's financial position and performance will continue to be closely monitored.

ITEM 5 (continued)**Certificate**

In accordance with the Clause 203 of the Local Government (General) Regulations 2005, I report that the financial position of the Council was satisfactory as at 31 December 2020, having regard to the original estimates of income and expenditure.

Variations in total income, operating and capital expenditure as at 31 December 2020 are of a quantum and nature that overall end of year financial targets will be achieved.

Pav Kuzmanovski

Chief Financial Officer
Responsible Accounting Officer

4 February 2021

6 PLANNING PROPOSAL MACQUARIE ICE RINK HERITAGE ITEM - Outcomes of Exhibition

Report prepared by: Strategic Planner
File No.: LEP2020/1/4 - BP21/2

REPORT SUMMARY

This report reviews the outcomes of the public exhibition of the Planning Proposal to include the Macquarie Ice Rink as a heritage item in the *Ryde Local Environmental Plan (RLEP) 2014*.

The Planning Proposal was placed on public exhibition from Monday 16 November 2020 to Wednesday 16 December 2020. The property owners (AMP Capital), neighbouring property owners, previous submission writers to the current Development Application affecting the Macquarie Centre, and the public were notified of the exhibition and invited to make written submissions on the matter.

In response, Council received 21 submissions from members of the public in addition to responses received from AMP Capital and Heritage NSW. All submissions supported the heritage listing of the ice rink, noting that AMP Capital requested wording amendments to the Planning Proposal. Their requested amendments seek to provide further clarity regarding the extent of the listing, i.e. that the listing be applied only to that part of the site to which the ice rink is situated. Their requested amendments also remove mention of integration with the Macquarie Shopping Centre. Staff recommend retaining the reference to integration with the Macquarie Shopping Centre, but agree with the requested clarification that the listing only relates to the part of the site on which the ice rink itself is located. This will ensure the operations of the shopping centre are not unnecessarily impacted, while also ensuring the Macquarie Ice Rink receives appropriate protection.

Staff also reviewed over 200 submissions made to the current Development Application relating to the ice rink and found that the vast majority supported the retention of the ice rink and cited its significant value to multiple generations within the community and the unique nature of this rink within Sydney.

This report recommends that Council update the wording of the property description within the Planning Proposal to provide greater clarity regarding the extent of the listing and to finalise the plan to amend the *Ryde Local Environmental Plan 2014* to list the ice rink as a heritage item.

RECOMMENDATION:

- (a) That Council supports the updating of the wording of the Planning Proposal Macquarie Ice Rink Heritage Item to state that the proposed heritage listing applies to that part of LOT 100 DP 1190494 on which the ice rink is situated.

ITEM 6 (continued)

- (b) That Council supports the finalisation of the Planning Proposal Macquarie Ice Rink Heritage Item as updated.
- (c) That Council endorse amending *Ryde Local Environmental Plan 2014* as it relates to the Macquarie Ice Rink, located within Macquarie Shopping Centre at 197-223 Herring Road, Macquarie Park (Part of LOT 100 DP 1190494), by:
- Amending *Schedule 5 Environmental Heritage* to list the Macquarie Ice Rink as an item of environmental heritage as per the wording in the updated Planning Proposal; and
 - Amending the Ryde Local Environmental Plan 2014 Heritage Map to include the property.
- (d) That Council forward the updated Planning Proposal to Parliamentary Counsel and the Department of Planning, Environment and Industry for legal drafting and in accordance with local plan-making delegation that the General Manager finalise the plan.
- (e) That the property owner and all who made submissions be advised of Council's decision.

ATTACHMENTS – CIRCULATED UNDER SEPARATE COVER

- 1 Extraordinary Council Meeting Minutes 29 January 2019
- 2 Council Meeting Minutes (Extract) 25 February 2020
- 3 Gateway Determination
- 4 Planning Proposal Macquarie Ice Rink Heritage Item (Exhibition Version)
- 5 Exhibition Notice in The Weekly Times
- 6 Exhibition Notification Letter
- 7 Heritage NSW Submission
- 8 AMP Capital Submission
- 9 Submissions
- 10 Ryde Local Planning Panel Determination and Reasons

Report Prepared By:

Rachel Hughes
Strategic Planner

Report Approved By:

Naomi L'Oste-Brown
Senior Strategic Planner

Dyalan Govender
Acting Director - City Planning and Environment

ITEM 6 (continued)**Purpose of Report**

This report addresses the outcomes of the community consultation relating to the Planning Proposal to list Macquarie Ice Rink as an item of local heritage significance within Schedule 5 of *Ryde Local Environmental Plan 2014*.

Background

A Development Application (DA) was lodged in December 2018, proposing a redevelopment of the Macquarie Shopping Centre which would involve the demolition of the Macquarie Ice Rink. This DA generated significant community interest during its exhibition, largely against the demolition of the Ice Rink.

In response, Council resolved at its Extraordinary meeting of 29 January 2019, that Council would:-

- (a) *Recognise the strong community opposition to the imminent closure of the Macquarie Ice Rink;*
- (b) *Express its opposition to the closure of the Macquarie Ice Rink;*
- (c) *Facilitate urgent mediation between AMP Capital and the existing tenants of the Macquarie Ice Rink to guarantee the retention of this important community facility or one of equivalent Olympic size and features in stage 1, by arranging meetings with the current tenants of the Macquarie Ice Rink;*
- (d) *Engage a person with appropriate heritage knowledge, skills and experience to investigate whether the Macquarie Ice Rink is of heritage importance and to subsequently prepare a preliminary heritage assessment report with respect to this matter and a report be submitted back to Council with a view to seek an interim heritage order if the report finds grounds of heritage importance.*
- (e) *Recognise the challenges of opening public consultation during the January 2019 holiday period, when many families are away from Sydney, and extend the public consultation period until 1 March 2019.*
- (f) *Place a copy of the Ice Rink's public change.org Macquarie ice rink petition on its website, and paper copies in all public facing council facilities.*
- (g) *Given that Ryde's local member, The Honourable Victor Dominello MP, failed to prevent the unwanted rezoning of Herring Road (Priority Precinct) in 2014 and his government's planning panel approval of AMPC's concept development application in 2016, that this Council call upon Premier Gladys Berejiklian to urgently intervene to save Macquarie Ice Rink.*

ITEM 6 (continued)

- (h) *That the General Manager formally notify AMP Capital that Council's official position is for an Olympic sized ice rink to be retained in any stage 1 redevelopment of the Macquarie Shopping Centre.*

The full meeting minutes from the Extraordinary Council Meeting of 29 January 2019 have been included as **ATTACHMENT 1 – CIRCULATED UNDER SEPARATE COVER**.

Council staff subsequently arranged detailed heritage investigations, preparing a Planning Proposal to heritage list the ice rink. This Planning Proposal was then reviewed by the Ryde Local Planning Panel on 13 February 2020 who recommended that it proceed (see **ATTACHMENT 10 – CIRCULATED UNDER SEPARATE COVER**) in the form which was then reported to Council on 25 February 2020.

At this Council Meeting of 25 February 2020, Council resolved:-

- (a) *That the notion and use of an Olympic sized ice rink at Macquarie Shopping Centre is of local heritage significance as outlined in the attached Planning Proposal and, accordingly, Council seeks to place the item on Schedule 5 Environmental Heritage of Ryde Local Environmental Plan 2014.*
- (b) *That Council notes the advice of the Ryde Local Planning Panel to seek a Gateway Determination and amend Planning Proposal Macquarie Ice Rink Heritage Item to give guidance to a site specific Conservation Management Plan.*
- (c) *That Council forward Planning Proposal Macquarie Ice Rink Heritage Item to the Minister of Planning with a request for a Gateway Determination under 3.34 of the Environmental Planning and Assessment Act 1979.*
- (d) *That, on receipt of the Gateway Determination, the General Manager places the Planning Proposal on community consultation in accordance with NSW planning legislation and any conditions forming part of the Gateway Determination.*
- (e) *That the outcomes of community consultation are reported to City of Ryde Council as soon as practicable after the conclusion of the exhibition period.*

The relevant extract from the meeting minutes from Council Meeting of 25 February 2020 has been included as **ATTACHMENT 2 – CIRCULATED UNDER SEPARATE COVER**.

ITEM 6 (continued)

The Planning proposal was updated and submitted for Gateway Determination on 11 March 2020. The Gateway Determination was received by Council on 21 September 2020. The Planning Proposal was given approval to proceed, subject to the following conditions:

- The Planning Proposal be updated to remove the requirement for a Conservation Management Plan, to include a draft Heritage Map, and to include a revised project timeline,
- The Planning Proposal must be placed on public exhibition for a minimum of 28 days,
- Heritage NSW must be consulted, provided with copies of the Planning Proposal documents and given a minimum of 21 days to make comment.

The Gateway Determination also authorised Council as the local plan-making authority for this Planning Proposal.

The Gateway Determination has been attached to this report in full as **ATTACHMENT 3 – CIRCULATED UNDER SEPARATE COVER.**

The Planning Proposal was updated in response to these Gateway requirements and was placed on public exhibition from 16 November 2020 to 16 December 2020. The exhibited version of the Planning Proposal has been attached to this report as **ATTACHMENT 4 – CIRCULATED UNDER SEPARATE COVER.**

This report outlines the results from the exhibition and recommends that the Planning Proposal be amended, then progressed to the next stage.

ITEM 6 (continued)

Local Environmental Plan Amendment Process

Under the *Environmental Planning and Assessment Act 1979* (the Act), a Local Environmental Plan (LEP) may be amended by Council as follows:



ITEM 6 (continued)

Council is currently at the stage of considering submissions received during the exhibition of the Planning Proposal. As discussed above, the Gateway Determination authorised Council to be the local plan-making authority for this Planning Proposal. Council may therefore now resolve to make the plan to amend the *Ryde Local Environmental Plan 2014* to list the ice rink as a heritage item or resolve not to proceed with the plan. Where Council may resolve to make the plan, the General Manager has delegation to complete final plan-making requirements.

Community Consultation

Consultation with the community regarding the Planning Proposal was carried out in accordance with s3.34(2)(c) *Environmental Planning and Assessment Act 1979* (EP&A Act) and the Gateway Determination. Key dates and events of the community consultation are as follows:-

- The Planning Proposal was placed on public exhibition for a total of 31 days, beginning on Monday 16 November 2020 and ending on Wednesday 16 December 2020. This exceeds the 28 day consultation period required by the Gateway Determination.
- The exhibition was advertised in The Weekly Times. (See **ATTACHMENT 5 – CIRCULATED UNDER SEPARATE COVER**).
- A copy of the exhibition notice, Planning Proposal and all supporting material was available for viewing at Council's Customer Service Centre at Top Ryde and at the North Ryde Office of City of Ryde Council.
- The Planning Proposal and its supporting materials were digitally available on Council's 'Have your Say' website.
- Letters were circulated to surrounding property owners advising of the Planning Proposal and the exhibition period along with the opportunity for submissions to be made in relation to the PP. These letters were also circulated to all persons who made submissions to the Development Application and to those who had already written to Council regarding the Ice Rink. (See **ATTACHMENT 6.**)

Consultation with relevant government bodies

Heritage NSW was consulted and provided with a copy of both the Planning Proposal and relevant documents as required by the Gateway Determination under s3.34(2)(d) of the EP&A Act. A submission was received from the Heritage NSW supporting the Planning Proposal and stating (in part) the following:

ITEM 6 (continued)

We have reviewed Council's Planning Proposal and the supporting Heritage Assessment prepared by GML Heritage and note that the assessment indicated that Macquarie Ice Rink met five of the seven heritage significance criteria, as such listing the Ice Rink as a Local item on Council's LEP is an appropriate response.

We encourage the identification and listing of new heritage items on LEPs, provided that all necessary due diligence, assessments and notifications have been undertaken. Prior to finalisation of the planning proposal, Council should be satisfied that this is the case.'

The submission from Heritage NSW has been included in full as **ATTACHMENT 7 – CIRCULATED UNDER SEPARATE COVER.**

Outcomes of Community Consultation

Council collected feedback on the Planning Proposal via written submissions.

Submission by the Landowner (AMP Capital)

Council received a written submission from Urbis on behalf of AMP Capital on 16 December 2020. Their submission is summarised in the following extract:

'Whilst AMP Capital is not resisting the proposed local heritage listing, we are of the view that the listing should provide for sufficient flexibility such that the recreational facility can be relocated in a way which does not jeopardise the future redevelopment of Macquarie Centre (outlined in section 2), nor result in unintended consequences to the ongoing operation of the Centre, including for its tenants and retailers (outlined in section 3). To avoid those unintended consequences, AMP Capital proposes some amendments to the proposed listing...'

Their submission has been included in full as **ATTACHMENT 8 – CIRCULATED UNDER SEPARATE COVER.**

AMP Capital's submission included a request to amend the name of the proposed heritage item and property description as they are being proposed to be inserted into the Ryde Local Environmental Plan 2014.

Staff have reviewed AMP Capital's proposed amendment to the item name and do not support the change as the amendment proposes to remove words relating to the integration of the ice rink with Macquarie Shopping Centre. The integration of the rink within Macquarie Shopping Centre is a key aspect of the character of the ice rink to be preserved. This assertion is supported by the Statement of Significance provided in the Heritage Study authored by GML Heritage (see **ATTACHMENT 4**), which states (in part):

ITEM 6 (continued)

Its [Macquarie Ice Rink's] purposeful incorporation into a shopping centre is unusual and is representative of the growing trend at the time to diversity the retail experience with intimate spaces, open space, recreational facilities and indoor gardens.'

The incorporation of the rink into the shopping centre is also listed as a key aspect of the rink for retention within the Planning Proposal itself (page 8 of **ATTACHMENT 4 – CIRCULATED UNDER SEPARATE COVER**). Furthermore, several of the submissions made by the community during the recent exhibitions explicitly mentioned the incorporation of the rink within the shopping centre while expressing their support for its retention and protection. The words relating to the integration of the ice rink with Macquarie Shopping Centre should therefore be retained in the proposed LEP amendments to ensure all the aspects of the rink which give it its heritage value are suitably protected.

Staff have also reviewed the proposed amendments to the property description and support the proposed changes as they provide further clarity regarding where the heritage listing applies, i.e. to that part of the site on which the ice rink is situated. This will address AMP Capital's concerns that the heritage listing could affect other businesses operating in Macquarie Shopping Centre, namely that undue consideration of the nearby heritage listing will preclude the use of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* to expediate minor development and administrative activities, such as the refitting of a store within the centre. The relevant legislation does provide that Exempt and Complying development can occur on the unaffected parts of lots which include heritage protections, so the proposed amendments to the property description will further support the clear delineation between heritage listed and not-heritage listed spaces within the shopping centre.

In accordance to the above, staff are recommending that the Planning Proposal be updated to propose that Schedule 5 Environmental Heritage of Ryde Local Environmental Plan 2014 be amended to heritage list the ice rink as per the following:

Suburb	Item Name	Address	Property Description	Significance	Item no.
Macquarie Park	Olympic sized Ice Rink with associated facilities (seating, meeting and team areas etc) integrated with Macquarie Shopping Centre retail/commercial activities and known as Macquarie Ice Rink.	197 – 223 Herring Road Macquarie Park	That part of Lot 100 DP 1190494 on which the ice rink is situated	Local	345

ITEM 6 (continued)
Public Submissions

The following table summarises the submissions received from members of the general public during the exhibition of the Planning Proposal. All submissions support the heritage listing of the rink. Copies of all submissions in full have been included at **ATTACHMENT 9 – CIRCULATED UNDER SEPARATE COVER.**

Submission ID	Summary of Submission
D20/19372 (Early Submission)	<ul style="list-style-type: none"> • Supports the heritage listing of the rink • Identifies a deficit of similar indoor sporting facilities in the area • Identifies a deficit of similar indoor social connection facilities in the area
D20/25640 (Early Submission)	<ul style="list-style-type: none"> • Supports the retention of the full (Olympic) size rink • Identifies a deficit of similar indoor sporting facilities in the area
D20/96249 (Early Submission)	<ul style="list-style-type: none"> • Supports the heritage listing of the rink • Describes the ice rink as “iconic” and feels that removing it would be a loss of Sydney’s heritage
D20/189974	<ul style="list-style-type: none"> • Supports the heritage listing of the rink (No specific reasons given)
D20/190159	<ul style="list-style-type: none"> • Supports the retention of the full (Olympic) size rink • Identifies a deficit of similar indoor sporting facilities in Sydney. Describes the rink as an “asset” which people travel into the area to utilise. • Describes the rink as a positive social space.
D20/190181	<ul style="list-style-type: none"> • Supports the heritage listing of the rink • Describes the rink as “not just an ice rink” but as a community and as a living piece of heritage.
D20/200393	<ul style="list-style-type: none"> • Supports the heritage listing of the rink
D20/202214	<ul style="list-style-type: none"> • Supports the heritage listing of the rink • Also supports the construction of a new Olympic-size rink which retains the heritage-relevant features listed in the heritage report.
Online Submission 1	<ul style="list-style-type: none"> • Supports the heritage listing of the rink
Online Submission 2	<ul style="list-style-type: none"> • Supports the heritage listing of the rink • Describes the rink as “important”
Online Submission 3	<ul style="list-style-type: none"> • Supports the heritage listing of the rink (No specific reasons given.)
Online Submission 4	<ul style="list-style-type: none"> • Supports the heritage listing of the rink • Describes the “unique dimension” the rink lends to Macquarie Centre
Online Submission 5	<ul style="list-style-type: none"> • Supports the heritage listing of the rink • Describes the rink as “critical”

ITEM 6 (continued)

Submission ID	Summary of Submission
Online Submission 6	<ul style="list-style-type: none"> • Supports the heritage listing of the rink • Writes that “heritage listing will be instrumental” in ensuring the retention of an Olympic sized ice rink
Online Submission 7	<ul style="list-style-type: none"> • Supports the heritage listing of the rink • Describes the rink as “significant”
Online Submission 8	<ul style="list-style-type: none"> • Supports the heritage listing of the rink (No specific reasons given.)
Online Submission 9	<ul style="list-style-type: none"> • Supports the heritage listing of the rink • Describes the rink as “an essential part of the fabric of our community”
Online Submission 10	<ul style="list-style-type: none"> • Supports the protection of the rink by stating that “A modern ice rink may be worthy of some type of listing.” • Provided examples of lost heritage in Ryde and states that there is “no” real heritage in Ryde and that there has not been for some time
Online Submission 11	<ul style="list-style-type: none"> • Supports the heritage listing of the rink • Describes the rink as “unique” and lending significance to Ryde
Online Submission 12	<ul style="list-style-type: none"> • Supports the heritage listing of the rink
Online Submission 13	See D20/202214 (duplicate submission)
Online Submission 14	<ul style="list-style-type: none"> • Supports the heritage listing of the rink • Describes the rink as a “major community asset...used by multiple generations of the local community”.

In addition to the submissions made regarding the Planning Proposal, staff also reviewed over 200 submissions made in response to the two DA exhibitions for the site. There was a substantial degree of overlap between the Planning Proposal and DA exhibition outcomes as the majority of DA submissions in both exhibitions were primarily concerned with the proposed changes to the ice rink.

Almost all DA submitters objected to the loss or shrinking of the Macquarie Ice Rink, and there was a consistent public emphasis placed on:

- the rare size of the rink,
- the diversity of its patron community,
- the uniqueness of the rink and its mutually “iconic” relationship with the shopping centre, and
- significant intergenerational and lifelong memories / experiences associated with the rink.

Financial Implications

Adoption of the recommendation will have no financial impact.

ITEM 6 (continued)**Options**

Option 1 (Recommended) – That Council updates the Planning Proposal to reflect AMP Capital's requested changes to the Property Description but leaves the Item Name in its exhibited form.

In this option, the Planning Proposal would be updated to provide greater clarity regarding where the heritage listing does and does not impact development activity within the Macquarie Centre. This option is recommended as it responds to AMP Capital's concerns about the potential disruption to other businesses caused by the listing, and also responds to the community submissions which recognised the significance of having the rink located within Macquarie Shopping Centre.

Option 2 – That Council supports the Planning Proposal to proceed in its exhibited form.

In this option, the Planning Proposal would be finalised without any amendments being made to the exhibited version of the Planning Proposal. This option is NOT recommended as it fails to address AMP Capital's concerns regarding the unintended flow on consequences of the heritage listing for other businesses operating in Macquarie Shopping Centre.

Option 3 – That Council resolves to discontinue the Planning Proposal.

In this option, the Planning Proposal to heritage list Macquarie Ice Rink would be discontinued. This option is NOT recommended as it would fail to respond to the heritage significance of the Rink and would not afford the ice rink any protection in the case of future redevelopments or changes to the Macquarie Shopping Centre.

7 VARIATIONS TO DEVELOPMENT STANDARDS UNDER CLAUSE 4.6 OF RYDE LOCAL ENVIRONMENT PLAN 2014

Report prepared by: Manager - Development Assessment
File No.: EPG/21/30/4 - BP21/34

REPORT SUMMARY

To ensure transparency and integrity within the planning framework, the Department of Planning and Environment requires a report to Council once a quarter in respect to all variations to development standards approved under Council Officers' delegation using Clause 4.6 of RLEP 2014.

This report details Development Applications approved in the period of 1 October to 31 December 2020 with a Clause 4.6 variation.

DA number	Address	Description of Proposal	Extent of variation & standard varied	Justification of variation	Delegation & Date of Determination
LDA2020/0311	36 Samuel Street, Ryde	Strata subdivision of existing dual occupancy (attached).	0.8% (5.15m ²) variation to Clause 4.1A(2) Dual occupancy (attached) subdivisions which requires a site area of 580m ²	The site area is 574.85m ² . Development consent was issued for the construction of the attached dual occupancy in 2015. The proposed development for strata subdivision does not physically alter the approved development. The non-compliance is minor and does not result in any impacts on the locality. The environmental planning grounds relates to the allotment size is in existence and the built form has been approved.	Council Officers Delegated Authority 16/10/2020

ITEM 7 (continued)

LDA2019/0392	64 Bennet Street, West Ryde	Demolition and construction of new dual occupancy (attached).	9.14% (0.9m) variation to Clause 4.3 Height of buildings. Maximum height is 10.41m. Control is 9.5m.	<p>Contravention is due to the existing swimming pool which is being removed. This results in the existing ground level being 1.8m below the surrounding NGL. pre-existing excavation for the in-ground pool. The proposed dual occupancy building would be compliant with the height standard should the natural slope of land around the pool be considered. The resultant breach in height will not cause undue overshadowing or any other residential amenity impacts on the surrounding properties. The proposed bulk and scale of the building will be sympathetic to the surrounding built environment and will not result in the loss or obstruction of any significant district views available from adjoining properties. This variation will not result in any perceivable material impact on the surrounding neighbours and streetscape.</p>	Council Officers Delegated Authority 20/10/2020
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RECOMMENDATION:

That the report on the Clause 4.6 variations 1 January 2018 to 31 March 2018 be received and noted.

ATTACHMENTS

1 Circular - Clause 4.6 - May 2020

Report Prepared By:

Sandra Bailey
Manager - Development Assessment

Report Approved By:

Dyalan Govender
Acting Director - City Planning and Environment

ITEM 7 (continued)

ATTACHMENT 1



Planning circular

PLANNING SYSTEM

Varying Development Standards

Circular	PS 20-002
Issued	5 May 2020
Related	Revokes PS 17-006 (December 2017), PS 19-005

Variations to development standards

This circular is to advise consent authorities of arrangements for when the Secretary's concurrence to vary development standards may be assumed (including when council or its Independent Hearing and Assessment Panel are to determine applications when development standards are varied) and clarify requirements around reporting and record keeping where that concurrence has been assumed.

Overview of assumed concurrence

This circular replaces Planning Circular PS 18-003 and issues assumed concurrence, governance and reporting requirements for consent authorities. It also advises that council reports are to come through the Planning Portal, and of the repeal of SEPP 1.

All consent authorities may assume the Secretary's concurrence under:

- clause 4.6 of a local environmental plan that adopts the *Standard Instrument (Local Environmental Plans) Order 2006* or any other provision of an environmental planning instrument to the same effector
- *State Environmental Planning Policy No 1 – Development Standards* for land included in an old Interim Development Order (IDO) or Planning Scheme Ordinance (PSO).

However, the assumed concurrence is subject to conditions (see below).

The assumed concurrence notice takes effect immediately and applies to pending development applications.

Any existing variation agreed to by the Secretary of Planning, Industry and Environment to a previous notice will continue to have effect under the attached notice.

Assumed concurrence conditions

Lot size standards for dwellings in rural areas

The Secretary's concurrence may not be assumed for a development standard relating to the minimum lot size required for erection of a dwelling on land in one of the following land use zones, if the lot is less than 90% of the required minimum lot size:

- Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone

RU4 Primary Production Small Lots, Zone RU6 Transition

- Zone R5 Large Lot Residential
- Zone E2 Environmental Conservation, Zone E3 Environmental Management, Zone E4 Environmental Living
- a land use zone that is equivalent to one of the above land use zones

This condition will only apply to local and regionally significant development.

Numerical and non-numerical development standards

The Secretary's concurrence may not be assumed by a delegate of council if:

- the development contravenes a numerical standard by greater than 10%; or
- the variation is to a non-numerical standard.

This restriction does not apply to decisions made by independent hearing and assessment panels, formally known as local planning panels, who exercise consent authority functions on behalf of councils, but are not legally delegates of the council (see section 231).

The purpose of the restriction on assumed concurrence for variations of numerical and non-numerical standards applying to delegates is to ensure that variations of this nature are considered by the council or its independent hearing and assessment panel and that they are subject to greater public scrutiny than decisions made by council staff under delegation.

In all other circumstances, delegates of a consent authority may assume the Secretary's concurrence in accordance with the attached written notice.

ITEM 7 (continued)

ATTACHMENT 1

Department of Planning, Industry and Environment – Planning Circular PS 20-002

Independent hearing and assessment panels

From 1 March 2018, councils in Sydney and Wollongong were required to have independent hearing and assessment panels that will determine development applications on behalf of councils (see section 231).

The attached notice allows independent hearing and assessment panels to assume the Secretary's concurrence because they are exercising the council's functions as a consent authority.

Independent hearing and assessment panels established by councils before 1 March 2018 also make decisions on behalf of councils. The attached notice applies to existing panels in the same way as it applies to panels established after 1 March 2018.

Regionally significant development

Sydney district and regional planning panels may also assume the Secretary's concurrence where development standards will be contravened.

The restriction on delegates determining applications involving numerical or non-numerical standards does not apply to all regionally significant development. This is because all regionally significant development is determined by a panel and is not delegated to council staff.

However, the restriction on assuming concurrence to vary lot size standards for dwellings in rural areas will continue to apply to regionally significant development. The Secretary's concurrence will need to be obtained for these proposals in the same way as it would for local development.

State significant development and development where a Minister is the consent authority

Consent authorities for State significant development (SSD) may also assume the Secretary's concurrence where development standards will be contravened. This arrangement also applies to other development for which a Minister is the consent authority for the same reasons.

Any matters arising from contravening development standards will be dealt with in Departmental assessment reports.

The restriction on assuming concurrence to vary lot size standards for dwellings in rural areas will not apply to SSD or where a Minister is the consent authority for the same reasons.

Notification of assumed concurrence

Under clause 64 of the *Environmental Planning and Assessment Regulation 2000*, consent authorities are notified that they may assume the Secretary's concurrence for exceptions to development standards for applications made under clause 4.6 of the SILEP (or any other provision of an environmental planning instrument to the same effect).

The notice takes effect on the day that it is published on the Department of Planning, Industry and Environment's website (i.e. the date of issue of this circular) and applies to pending development applications.

Procedural and reporting requirements

In order to ensure transparency and integrity in the planning framework the below Departmental monitoring and reporting measures must be followed when development standards are being varied:

- Proposed variations to development standards cannot be considered without a written application objecting to the development standard and dealing with the matters required to be addressed by the relevant instrument.
- A publicly available online register of all variations to development standards approved by the consent authority or its delegates is to be established and maintained. This register must include the development application number and description, the property address, the standard to be varied and the extent of the variation.
- A report of all variations approved (including under delegation) must be submitted through the NSW Planning Portal at <https://www.planningportal.nsw.gov.au/reporting/online-submission-planning-data> within four weeks of the end of each quarter (i.e. March, June, September and December) in the form provided by the Department.
- A report of all variations approved under delegation from a council must be provided to a meeting of the council meeting at least once each quarter.

Councils are to ensure these procedures and reporting requirements are carried out on behalf of Independent Hearing and Assessment Panels and Sydney district or regional planning panels.

Audit

The Department will continue to carry out random audits to ensure the monitoring and reporting measures are complied with. The Department and the NSW Independent Commission Against Corruption will continue to review and refine the audit strategy.

Should ongoing non-compliance be identified with one or more consent authorities, the Secretary will consider revoking the notice allowing concurrence to be assumed, either generally for a consent authority or for a specific type of development.

Repeal of State Environmental Planning Policy No 1 – Development Standards (SEPP 1)

The repeal of SEPP 1 came into effect from 1 February 2020 as part of the SEPP Review Program to update and simplify the NSW Planning system.

SEPP 1 is repealed in circumstances where a standard instrument LEP applies in a local council

ITEM 7 (continued)

ATTACHMENT 1

Department of Planning, Industry and Environment – Planning Circular PS 20-002

area. The amendments included the insertion of two clauses into the *SEPP (Concurrences and Consents) 2018*. Clause 6 provides for the continued operation of SEPP 1 where an Interim Development Order (IDO) or a Planning Scheme Ordinance (PSO) is in effect. Clause 7 is a savings provision which continues to apply SEPP 1 for applications that were made prior to the repeal but are yet to be determined.

Further information

A Guide on Varying Development Standards 2011 is available to assist applicants and councils on the procedures for managing SEPP 1 and clause 4.6 applications to vary standards.

Links to the Standard Instrument can be found on the NSW Legislation website at: www.legislation.nsw.gov.au

For further information please contact the Department of Planning, Industry and Environment's information centre on 1300 305 695.

Department of Planning, Industry and Environment circulars are available at: planning.nsw.gov.au/circulars

Authorised by:

Marcus Ray
Group Deputy Secretary,
Planning and Assessment
Department of Planning, Industry and Environment

Important note: This circular does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this circular.

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**8 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT - Canberra
- 20 to 23 June 2021**

Report prepared by: Civic Services Manager
File No.: CLR/20/240/2 - BP20/1303

REPORT SUMMARY

The National General Assembly of Local Government (NGA) will be held at the National Convention Centre in Canberra on Sunday, 20 June 2021 to Wednesday, 23 June 2021.

This report is presented to Council for its consideration of the Mayor (or his nominee) in addition to the General Manager (and/or his delegates) and other Councillor/s to attend the Assembly.

This report will also consider any recommended Motions received from Councillors, to be submitted to the Australian Local Government Association for their consideration to include in the Conference Business Paper. It is noted that no proposed motions were received from Councillors.

RECOMMENDATION:

- (a) That Council consider the attendance of the Mayor (or his nominee) in addition to the General Manager (and/or his delegates) and other Councillor/s to attend the National General Assembly of Local Government held in Canberra on Sunday, 20 June 2021 to Wednesday, 23 June 2021.
- (b) That Council nominate the Mayor (or his nominee) to be the voting delegate to represent the City of Ryde during debates on Motions presented to the Assembly.

ATTACHMENTS

- 1 National General Assembly 2021 (NGA) - Discussion Paper

Report Prepared By:

Amanda Janvrin
Civic Services Manager

Report Approved By:

Rafik Meleka
Acting Manager - Corporate Governance

Marnie Mitchell
Acting Director - Corporate Services

ITEM 8 (continued)

Discussion

Conference

The 2021 National General Assembly of Local Government will meet on 20-23 June 2021 at the National Convention Centre in Canberra. The Assembly will be hosted by the Australian Local Government Association (ALGA).

The theme of the Assembly this year is “*Working Together for our Communities*”. It should be noted that at this time it is unclear whether COVID-19 restrictions will still be in force in June 2021, but if this is the case the National General Assembly may also include virtual participation and attendance.

Previously, the Mayor (or his nominee) and the General Manager (and/or his nominees) have attended the Assembly. In 2019, the Mayor, Councillor Laxale, Councillor Gordon, Councillor Maggio, Councillor Purcell, Councillor Yedelian OAM, George Dedes (General Manager) and other Senior Staff attended the Assembly. The 2020 National General Assembly was cancelled due to COVID-19.

A notice was placed in the Councillor Information Bulletin dated 9 February 2021 inviting Councillors to indicate their interest to attend the Assembly by 15 February 2021. As a result, no expressions of interest were received from Councillors in relation to attending the Assembly.

In determining Councillor attendance to the Assembly, Council is required to nominate one voting delegate to represent the City of Ryde during debates on Motions presented to the Assembly. This report recommends the Mayor (or his nominee) to be Council’s voting delegate.

Motions

The ALGA is now calling for Motions and encourages all Councils to submit Motions relevant to the theme for consideration by the Assembly. Council has an opportunity to contribute to the development of national local government policy at the Assembly by submitting a Motion.

To be eligible for inclusion on the Business Papers, and subsequent debate on the floor of the National General Assembly, Motions must follow the following criteria:

1. be relevant to the work of local government nationally;
2. be consistent with the themes of the National General Assembly;
3. complement or build on the policy objectives of your state and territory local government association;
4. be submitted by a Council which is a financial member of their state or territory local government association;

ITEM 8 (continued)

5. propose a clear action and outcome; and
6. not be advanced on behalf of external third parties that may seek to use the National General Assembly to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

All Motions must be endorsed by Council prior to it being submitted to the Association. The Motions will then be reviewed by a Committee of the ALGA Board and State and Territory Government Associations to determine their eligibility for inclusion on the Business Paper.

The attached (**ATTACHMENT 1**) Discussion Paper was previously circulated to Council to assist in preparing Motions.

Councillors were invited through the Councillor Information Bulletin dated 9 February 2021 to prepare Motions for Council's consideration to submit to the Association. Councillors were requested to submit any draft Motions by 15 February 2021. The deadline to submit Motions to the Association is 26 March 2021. It is noted that no motions were received from Councillors. The Executive Team have also not proposed any motions for Council's consideration.

Financial Implications

The following is a summary of costs that would be incurred per person for travel to the Assembly:

- Registration: \$989 (Early Bird Rate)
- Travel to Canberra: Approximately \$450 return via car or \$600 return flight
- Accommodation: \$960 for 3 nights (approximately)

In addition to the above summary, it is anticipated that additional costs for incidentals, meals and taxi fares would also be incurred. This will be determined after the Conference.

The total cost for attending this Conference is approximately \$2,549 (excluding meals, incidentals and taxi fare charges).

In the 2020/2021 Budget there is an allocation of \$20,470 for the Mayor and Councillors to attend conferences. There is currently a balance of \$8,535 remaining and is subject to Council's resolution on the number of Councillors participating in this Conference.

ITEM 8 (continued)**Critical Dates**

The following deadlines are required to be met:

- Motions for inclusion on the National General Assembly of Local Government Business Paper are required to be submitted to the Australian Local Government Association by 26 March 2021.
- Early Bird Registrations for attendance at the National General Assembly of Local Government close on 7 May 2021.

Policy Implications

There is no policy implication through adoption of the recommendation. The Policy on the Expenses and Facilities for the Mayor and Other Councillors sets out the entitlements for Councillors attending such Conferences.

Options

1. That Council do not attend the National General Assembly.

This Option is not recommended as it may be perceived that Council is not interested in national local government issues, many of which have a local impact on our community and/or are of interest to our local community.

2. That Council attend the National General Assembly.

This Option is the preferred Option and forms the basis of this report's recommendation. This Assembly is the only formal opportunity for the nation's Mayors (and interested Councillors) to come together to debate and resolve significant local government issues, many of which have a localised impact and/or are of local interest.

ITEM 8 (continued)

ATTACHMENT 1



Call for Motions

20 - 23 June 2021
National Convention Centre Canberra



ITEM 8 (continued)

ATTACHMENT 1

KEY DATES

16 November 2020
Opening of Call for Motions

26 March 2021
Acceptance of Motions Close

20 - 23 June 2021
National General Assembly

To submit your motion go to:
alga.asn.au

ITEM 8 (continued)

ATTACHMENT 1

SUBMITTING MOTIONS

The National General Assembly of Local Government (NGA) is an important opportunity for you and your council to influence the national policy agenda.

The 2020 NGA “Working Together for Our Communities” was unfortunately cancelled due to COVID-19 but the ALGA Board has decided to retain the theme and emphasise the importance of partnerships to building and maintaining resilience in our councils and our communities.

To assist you to identify motions that address the theme of the 2021 NGA, the Australian Local Government Association (ALGA) Secretariat has prepared this short discussion paper. You are encouraged to read all the sections of the paper but are not expected to respond to every question. Your motion/s can address one or more of the issues identified in the discussion paper.

Remember that the focus of the NGA is on partnerships, working together, and resilience so your questions could focus on how local governments can work in partnership with the Australian Government to address the challenges our communities face, or the opportunities that are arising to build back better.

Criteria for motions

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. be relevant to the work of local government nationally;
2. not be focussed on a specific location or region – unless the project has national implications. You will be asked to justify why your motion has strategic national importance and should be discussed at a national conference;
3. be consistent with the themes of the NGA;
4. complement or build on the policy objectives of your state and territory local government association;
5. be submitted by a council which is a financial member of their state or territory local government association;
6. propose a clear action and outcome i.e. call on the Australian Government to do something;
7. be a new motion that has not already been debated at an NGA in the preceding two years; and
8. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

ITEM 8 (continued)

ATTACHMENT 1

OTHER THINGS TO CONSIDER

Motions should generally be in a form that seeks the NGA's support for a particular action or policy change at the Federal level which will assist local governments to meet local community needs. Motions should commence as follows: This National General Assembly calls on the Australian Government to restore funding for local government Financial Assistance Grants to a level equal to at least 1% of Commonwealth taxation revenue.

To ensure efficient and effective debate where there are numerous motions on a similar issue, the ALGA Board NGA Subcommittee will group the motions together under an overarching strategic motion. The strategic motions have either been drafted by ALGA or are based on a motion submitted by a council which best summarises the subject matter. Debate will focus on the strategic motions. Associated sub-motions will be debated by exception only.

Motions should be lodged electronically using the online form available on the NGA website at: www.alga.asn.au. All motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and the endorsement of your council. Motions should be received no later than 11:59pm AEST on Friday 26 March 2021.

Please note that for every motion it is important to complete the background section on the form. The background section helps all delegates, including those with no previous knowledge of the issue, in their consideration of the motion. There is a word limit of 150 for the motion and 200 for the national objective and 300 for the key arguments.

All motions submitted will be reviewed by the ALGA Board's NGA Sub-Committee, as well as by state and territory local government associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the Sub-Committee considers the importance and relevance of the issue to local government and whether the motions meet all the criteria detailed above.

Please note that motions should not be prescriptive in directing how the matter should be pursued.

With the agreement of the relevant council, motions may be edited before inclusion in the NGA Business Papers to ensure consistency. If there are any questions about the substance or intent of a motion, the ALGA Secretariat will raise these with the nominated contact officer.

Any motion deemed to be primarily concerned with local, state or territory issues will be referred to the relevant state or territory local government association and will not be included in the NGA Business Papers.

There is an expectation that any council that submits a motion will be present at the National General Assembly to move and speak to the motion.

ITEM 8 (continued)

ATTACHMENT 1

INTRODUCTION

2020 has been a year like no other. A year that many individuals and organisations, including councils, would wish to forget. While the drought lessened its hold on parts of the country to be replaced by floods, more than 110 local government areas were severely impacted by the Black Summer (2019-20) bushfires - and no one was spared the effects of the battle against COVID-19. The 2020-21 storm and fire season may add to the sense that it was a year of disasters.

Friedrich Nietzsche said: "That which does not kill us, makes us stronger." So how can councils become stronger after 2020? How can we ensure that our communities are stronger and more resilient? How do we work together and with our partners to ensure that we build back better from the series of unprecedented events that have marked 2020?

ITEM 8 (continued)**ATTACHMENT 1****COUNCIL RESILIENCE**

In the first quarter of 2020, state and territory Governments closed facilities where people gathered in numbers to reduce the probability that hospitals would be overwhelmed by a rise in COVID-19 cases. This included a substantial number of council owned and operated revenue generating facilities which had flow-on effects for other revenue-generating enterprises such as paid parking. Major funding gaps rapidly emerged in many councils that typically generated significant amounts of own revenue.

Councils that cannot generate significant amounts of the own revenue are typically dependent on grant funding from other levels of government, including Financial Assistance Grants from the Australian Government. These councils tend to service rural, regional and remote communities that are often large in area but small in terms of population. The capacity of these councils to deliver all their required services and infrastructure can be severely strained at any time.

With local government funding under pressure across the nation, and other levels of government facing fiscal constraints, councils may need to do more with less in the near term and be innovative with both budgeting, service delivery, balancing competing demands and longer term financial planning. Services may need to be scaled down or delivered in innovative ways. Asset management and maintenance programs may need to be varied. Working collaboratively with neighbouring councils or forming alliances may be a way of achieving efficiencies and enhancing service delivery along with fostering innovation, cutting red tape, and working in partnership with third parties may be others.

Digital service delivery and working from home - adopted during the height of the pandemic - may become the new norm. This may increase opportunities for councils to innovate, work together and share resources, and fill long term skill gaps. New challenges may emerge including how staff are supported and how productivity, collaboration and motivation maintained. There may be significant consequences for local democracy and council's ability to engage authentically with their communities. Digital transformation and technology modernisation will be essential for some councils. Even already well-established adopters of digital technology may need to rethink their approach.

ITEM 8 (continued)

ATTACHMENT 1

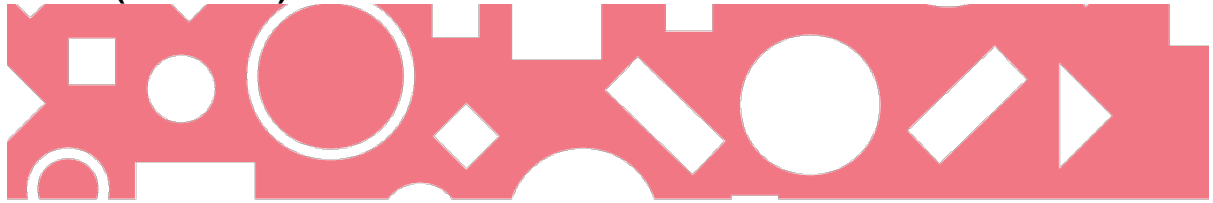
Can the Australian Government assist councils with efficiency measures that reduce the cost of services without a major change in service levels experienced by the community?

What opportunities are available to enhance the adaptive capacity of councils and its potential to 'weather the storm' through innovation and creativity? How can the Australian Government assist?

Apart from Financial Assistance Grants, how can the Australian Government assist councils to become more financially sustainable and able to better meet the needs of their communities? Are there new partnership programs or policy changes the Government

ITEM 8 (continued)

ATTACHMENT 1



COMMUNITY RESILIENCE

Community resilience is the capacity of communities to respond to, withstand, and recover from adverse situations including natural disasters, persistent drought, pandemics, fluctuations in global trade, recession, and a rise in inequality. In some circumstances in response to these pressures and stresses, local communities are not able to recover to their previous state. Instead they need to adapt to cope with long term stresses. But ideally, we want all communities to not only survive but thrive.

Local governments play a critical role in building resilient and sustainable communities and helping to buffer people and places against social, economic, and environmental disruptions and overcome adversity. One critical area is through the provision of resilient infrastructure. Councils' infrastructure should meet the community's current and future demand, be built to contemporary standards, be affordable for both the council and the user, and be reliable with appropriate asset management practices in place to ensure maximum return on investment.

In addition to physical infrastructure, social infrastructure is also vital for resilience. Social infrastructure is broader than just buildings, it includes the individuals and groups, places, and institutions, including councils, that foster community cohesion and social support. Communities and individuals with good social networks and connections demonstrate greater resilience.

The loneliness epidemic is challenging social resilience. Research produced before the coronavirus pandemic revealed that one in four adult Australians are experiencing loneliness with over half the nation reporting they feel lonely for at least one day each week. In addition to its impacts on community resilience, feeling lonely can pose a bigger risk for premature death than smoking or obesity and can be associated with depression, poorer cardiovascular health and, in old age, a faster rate of cognitive decline and dementia.

Communities that are more vulnerable to shocks and disasters are often reliant on only one industry, have minimal redundancy or no backups for essential services and infrastructure such as only one source of water, one powerline or one access road. They also often only have few voluntary or charitable organisations working in the community. Often community leadership is weak or fails to inspire, engage, and unleash the power of other leaders and critical social networks.

Community resilience cannot be built and then left to its own devices. It needs to be strengthened continuously, not just in times of crisis. It involves people getting together to create sustainable links within their community and the community and its leaders having the ability to learn from experience and improve over time.

ITEM 8 (continued)

ATTACHMENT 1

How can councils work in partnership with the other tiers of government to adopt a community development approach that builds resilience?

What are the best models available to councils to ensure that our communities thrive and focus on prevention and preparation rather than relief and recovery? How can the Australian Government partner with councils to ensure thriving communities?

What actions can councils take, in partnership with others including the Australian Government to promote community resilience and protect against external shocks such as industry closures or natural disasters? Are tools available to assist councils build community resilience or do we need new or different tools?

ITEM 8 (continued)

ATTACHMENT 1

COLLABORATION AND PARTNERSHIPS

Creating a resilient community and ensuring a resilient and sustainable council requires partners. Councils can work with partners in different ways to find local solutions to local problems. They can partner with a wide range of organisations including other councils, other levels of government, the voluntary and community sector or business and research sector organisations. The aims of these partnerships are typically to improve services and deliver changes to benefit the local area.

Collaboration and partnerships with other councils and public or private organisations can also bring benefit from economies of scale in providing services or purchasing in bulk for example. Procurement partnerships have been a particularly successful example of this. Working in partnership can make a considerable contribution to efficiency improvements, such as through cost savings in back-office functions or sharing of plant and equipment.

Other benefits associated with partnerships and collaboration include opening the way for local communities to share ideas and connect with others. Partnerships enhance the ability of a council to access innovation, enhance skills development, work across council boundaries to address regional issues, and maximise competitive advantage in the delivery of major infrastructure projects.

Strategic collaboration is not just about savings and sharing resources. It is also about maximising capacity in addressing community expectations, or working with members of the community to overcome challenges and seize opportunities. For example, building and maintaining productive partnerships with Aboriginal and Torres Strait Islander people and communities is critical for councils committed to Closing the Gap and involving Aboriginal and Torres Strait Islander communities in decision-making and service development and delivery.

Collaboration and partnerships that work well are underpinned by good governance, an agreed purpose, and mutual benefit.

There is a long history of local government partnering with the Australian Government to deliver projects and programs that benefit local communities, achieve fairness and equity across the nation, and support local delivery of services and infrastructure. In the absence of constitutional change, how do we further build and strengthen this partnership with the Australian Government?

ITEM 8 (continued)

ATTACHMENT 1

How do we encourage and incentivise councils to embrace partnerships and collaborative arrangements more enthusiastically including those which seek to ensure the development of economic development supporting infrastructure?

What are the obstacles to working in partnership with other councils or organisations? Can the Australian Government help overcome these?

How do councils, together with their communities, work in partnership to build resilience and entrench it into everyday life?

ITEM 8 (continued)

ATTACHMENT 1



**AUSTRALIAN
LOCAL GOVERNMENT
ASSOCIATION**

AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION
8 Geils Court Deakin ACT 2600 PHONE (02) 6122 9400
EMAIL alga@alga.asn.au WEB www.alga.asn.au

INFORMATION REPORT

9 REPORT FOR THE INFORMATION OF COUNCIL - EXCLUSION OF ITEMS OF BUSINESS FROM THE COUNCIL MEETING HELD ON 8 DECEMBER 2020

Report prepared by: General Manager
File No.: CLM/20/1/1/2 - BP20/1279

REPORT

The purpose of this report is to advise Council of five (5) items of business (proposed Notices of Motion) that were excluded from the Agenda for the Council Meeting of 8 December 2020 in accordance with Section 3.32 of Council's Code of Meeting Practice which reads as follows:-

- 3.32 *The General Manager must not include in the agenda for a meeting of Council any business of which due notice has been given if, in the opinion of the General Manager, the business is, or the implementation of the business would be, unlawful. The General Manager must report, without giving details of the item of business, any such exclusion to the next meeting of Council.*

This was excluded as in my opinion and after consultation with the appropriate Council staff, the implementation of the items of business were considered to be unlawful.

ATTACHMENTS

There are no attachments for this report.

Report Prepared and Approved By:

George Dedes
General Manager

PRECIS OF CORRESPONDENCE**1 RESPONSE BY PRIME MINISTER'S OFFICE - HOSTILITIES IN NAGORNO KARABAKH**

Report prepared by: Executive Assistant - Mayor and Councillors
File No.: MYR/07/10 - BP21/45

CORRESPONDENCE:

Submitting correspondence from The Assistant Minister to the Prime Minister, dated 16 December 2020, regarding hostilities in Karabakh.

Council received the attached correspondence in response to its letter to the Prime Minister, The Hon. Scott Morrison MP as a result of Council's resolution from its meeting held on 22 September 2020 (reconvened on 20 October 2020) regarding the Artsakh and Azerbaijan War.

RECOMMENDATION:

That the correspondence be received and noted.

ATTACHMENTS

- 1 Letter from the Office of the Prime Minister dated 16 December 2020 regarding the hostilities in Artsakh

Report Prepared By:

Linda Smith
Executive Assistant - Mayor and Councillors

Report Approved By:

Amanda Janvrin
Civic Services Manager

Marnie Mitchell
Acting Director - Corporate Services

PRECIS OF CORRESPONDENCE 1 (continued)

ATTACHMENT 1



THE HON BEN MORTON MP
ASSISTANT MINISTER TO THE PRIME MINISTER AND CABINET

Reference: MC20-169665

Counsellor Jerome Laxale
Mayor
City of Ryde
Locked Bag 2609
NORTH RYDE NSW 1670

Dear Mayor Laxale

Thank you for your letter dated 4 November 2020 to the Prime Minister, the Hon Scott Morrison MP, regarding the City of Ryde resolution on the outbreak of hostilities in Nagorno Karabakh. I have been asked to reply on the Prime Minister's behalf. I apologise for the delay in responding.

Australia is very concerned by the fighting and the significant loss of life on both sides. We extend our sympathy to the families and communities that were caught up in the violence and those who are mourning the death of loved ones.

Australia has long held a position of supporting the efforts of the OSCE Minsk Group to negotiate a permanent settlement of the conflict. We consider that the three-nation ceasefire agreement that took effect on 10 November 2020 provides an opportunity to achieve such an outcome. We call on both sides to engage with the OSCE Minsk Group Co-Chairs and work towards a lasting settlement.

Thank you for writing to the Prime Minister.

Yours sincerely



BEN MORTON

16/11/2020

**2 REPONSE BY MINISTER FOR FAMILIES AND SOCIAL SERVICES TO
LETTER REGARDING DOMESTIC VIOLENCE**

Report prepared by: Executive Assistant - Mayor and Councillors
File No.: MYR/07/10/7 - BP21/50

CORRESPONDENCE:

Submitting correspondence from the Office of Senator the Hon. Anne Rushton dated 5 January 2021, regarding domestic violence during COVID. This follows a Council resolution in October 2020 and a subsequent letter sent to numerous Ministers regarding a lack of funding and the need to assist people on temporary visas.

RECOMMENDATION:

That the correspondence be received and noted.

ATTACHMENTS

- 1 Letter from the Office of Senator the Hon. Anne Rushton dated 5 January 2021 regarding domestic violence

Report Prepared By:

Linda Smith
Executive Assistant - Mayor and Councillors

Report Approved By:

Amanda Janvrin
Civic Services Manager

Marnie Mitchell
Acting Director - Corporate Services

PRECIS OF CORRESPONDENCE 2 (continued)

ATTACHMENT 1



Australian Government
Department of Social Services

MC20-018267

Cr Jerome Laxale
Locked Bag 2069
NORTH RYDE NSW 1670
mayor@ryde.nsw.gov.au

Dear Cr Laxale

Thank you for your letter of 16 November 2020 to the Minister for Families and Social Services, Senator the Hon Anne Ruston, concerning an increase in domestic and family violence during the COVID-19 pandemic and access to specialist support services for women on temporary visas. The Minister has asked me to reply to you on her behalf.

On 29 March 2020, the Prime Minister, the Hon Scott Morrison MP, announced a \$150 million emergency response to address the expected impact of the coronavirus pandemic on women and children experiencing, or at risk of, domestic, family and sexual violence, and the service providers that support them. The majority of this funding, \$130 million, was allocated to states and territories to respond to local needs in their jurisdiction. The remaining \$20 million of the coronavirus pandemic funding was directed to boost existing Commonwealth programs or to fund new initiatives. The services delivered through these Commonwealth programs are available to any person in Australia experiencing violence, regardless of their visa status.

Support for women on temporary visas experiencing violence is a standing item for consideration by the Women's Safety Taskforce, which I co-chair with the Minister for Women, Senator the Hon Marise Payne, and which includes all state and territory Ministers responsible for family, domestic and sexual violence. The Commonwealth will continue working cooperatively with state and territory governments to identify and support longer-term solutions for women on temporary visas experiencing violence.

Thank you again for writing.

Yours sincerely



Greta Doherty
Branch Manager
5 January 2021

2021/17/17
reles to
21/3376
2021/14194

NOTICES OF MOTION

- 1 DEFERRED NOTICE OF MOTION: POLICY REGISTER - Councillor Dr Peter Kim, Deputy Mayor**

File Number: CLM/20/1/1/6 - BP20/1219

NOTE: This Notice of Motion was deferred from the Council Meetings of 24 November 2020 and 8 December 2020

MOTION:

That Council direct the General Manager to update the outdated Policies in the City of Ryde's Council Policy Register.

- 2 DEFERRED NOTICE OF MOTION: IMPROVE INFRASTRUCTURE - Councillor Dr Peter Kim, Deputy Mayor**

File Number: CLM/20/1/1/6 - BP20/1220

NOTE: This Notice of Motion was deferred from the Council Meetings of 24 November 2020 and 8 December 2020

MOTION:

- (a) That the General Manager provide a report to the Council on strategy to improve the infrastructure to meet the development demands in the City of Ryde now and into the future.
- (b) That the report be prepared within 3 months.

NOTICES OF MOTION (CONTINUED)

3 DEFERRED NOTICE OF MOTION: LITTER OVERFLOWING FROM BINS ALONG PARRAMATTA RIVER - Councillor Penny Pedersen

File Number: CLM/20/1/1/6 - BP20/1221

**NOTE: This Notice of Motion was deferred from the Council Meeting of 8
December 2020**

MOTION:

- (a) That Council notes that great effort is made by staff to prevent litter from the City of Ryde reaching the Parramatta River and that many Gross Pollutant Traps have been installed, at great expense, to prevent litter reaching the river in stormwater. Unfortunately, on some occasions, the waste that is deposited by the public on Sundays and Public holidays fills the bins to capacity. This is waste left by picnickers, boat crews, organised sport and sometimes excess domestic waste. The waste is disrupted by wind, wildlife and domestic pets causing it to be spread to the beaches and the river.
- (b) That Council staff:-
 - 1. Provide extra bins or larger bins at collection points where capacity is not currently sufficient - particularly on those collection points closest to Parramatta River and its tributaries.
 - 2. Bring back a report that includes:-
 - (i) a map showing where all public bin collection points are located and the capacity of each of those bins.
 - (ii) what days and how often on those days the bins are emptied.
 - (iii) the potential to install bin capacity sensors and monitoring app to optimize collection management.
 - (iv) the suitability, potential costs and available grants needed to install a solar compacting bin at collection points where overflowing bins risk allowing litter to blow into the river.

NOTICES OF MOTION (CONTINUED)

**4 DEFERRED NOTICE OF MOTION: CONSULTATION PROCESS -
Councillor Roy Maggio**

File Number: CLM/20/1/1/6 - BP20/1268

**NOTE: This Notice of Motion was deferred from the Council Meeting of 8
December 2020**

MOTION:

- (a) That Council implement a policy for its community consultation process relating any matter which provides the communities feedback to be conducted by the communication section of Council only.
- (b) That any strategies be presented to a communication committee of Councillors and Council officers to discuss the matters before exhibiting it to the community.
- (c) That this process be a policy of Council effected immediately.

**5 DEFERRED NOTICE OF MOTION: MAINTENANCE POLICY FOR TREES
PLANTED ON NATURE STRIPS AND COUNCIL OWNED LAND -
Councillor Roy Maggio**

File Number: CLM/20/1/1/6 - BP20/1269

**NOTE: This Notice of Motion was deferred from the Council Meeting of 8
December 2020**

MOTION:

- (a) That staff prepare a maintenance policy for trees planted on nature strips and Council owned land and a report be brought back to Council by June 2021.
- (b) That in preparing the report, staff consult with the community via a newsletter in the upcoming rate notice and all other media channels as per our communication policy.
- (c) That workshop with Councillors be conducted within a month of the community consultation finishing.
- (d) That a funding source be identified from the existing Parks budget to prepare the policy.

NOTICES OF MOTION (CONTINUED)

6 DEFERRED NOTICE OF MOTION: REMOVE AND REPLACE MAYORAL NEWS COLUMN - Councillor Dr Peter Kim, Deputy Mayor

File Number: CLM/20/1/1/6 - BP20/1274

NOTE: This Notice of Motion was deferred from the Council Meeting of 8 December 2020

MOTION:

That the Council remove the publication of Mayoral Column in the Weekly Times and replace it with Ryde Council News with the news to be independently decided by the staff.

7 HERITAGE LISTING AND PROTECTION OF BRUSH PARK BOWLING CLUB - Councillor Dr Peter Kim, Deputy Mayor

File Number: CLM/21/1/1/6 - BP21/96

MOTION:

That having regard to the need to protect existing green spaces in our City, the General Manager investigate the heritage listing of the site – Brush Park Bowling Club, Eastwood.

CONFIDENTIAL ITEMS

- 10 OFFER TO ENTER INTO A VOLUNTARY PLANNING AGREEMENT FROM MECONE ON BEHALF OF LASALLE INVESTMENT MANAGEMENT AND THE TRUST COMPANY LIMITED ATF LAV AUSTRALIA SUB TRUST 5 (THE PROPONENT AND OWNER) IN ACCORDANCE WITH CLAUSE 6.9 OF RYDE LOCAL ENVIRONMENTAL PLAN 2014 FOR THE SITE KNOWN AS 40-52 TALAVERA ROAD, MACQUARIE PARK**
-

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.

Report prepared by: Development Contributions Coordinator

File No.: VPA2020/45/4 - BP21/21

Page No: 97

- 11 REQUEST FOR TENDER - COR-RFT-11/20 - PROVISION OF PLANT HIRE**
-

Report prepared by: Senior Coordinator - Fleet Operations

Report approved by: Manager - Business Infrastructure; Director - City Works

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

File Number: CLM/21/1/1/2 - BP21/23

Page No: 118

CONFIDENTIAL ITEMS (CONTINUED)**12 REQUEST FOR TENDER - COR-RFT-13/20 - MEADOWBANK PARK:
CONSTRUCTION SERVICES FOR NEW AMENITIES BUILDING,
REGIONAL PLAYGROUND, CAR PARK ADJUSTMENT AND
ASSOCIATED WORKS**

Report prepared by: Project Manager**Report approved by:** Program Delivery Manager; Manager - Project Development;
Director - City Works**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.

File Number: PCM2020/40/4 - BP21/56**Page No:** 137**13 REQUEST FOR TENDER - COR-RFT-12/20 RYEDALE ROAD (WEST
RYDE) PUBLIC DOMAIN UPGRADE**

Report prepared by: Project Manager**Report approved by:** Program Delivery Manager; Manager - Project Development;
Director - City Works**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.

File Number: PCM2020/35/4 - BP21/8**Page No:** 171

CONFIDENTIAL ITEMS (CONTINUED)**14 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.

Report prepared by: General Counsel

File No.: GRP/21/8 - BP21/42

Page No: 208