

Meeting Date: Tuesday 25 May 2021
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde and Online
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.

NOTICE OF BUSINESS

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1 ITEMS PUT WITHOUT DEBATE

Report prepared by: Civic Services Manager

File No.: CLM/21/1/1/2 - BP21/376

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 27 April 2021

Report prepared by: Civic Services Manager

File No.: CLM/21/1/1/2 - BP21/377

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 4/21, held on 27 April 2021 be confirmed.

ATTACHMENTS

- 1 MINUTES - Ordinary Council Meeting - 27 April 2021

ITEM 2 (continued)

ATTACHMENT 1

**Council Meeting
MINUTES OF MEETING NO. 4/21**

Meeting Date: Tuesday 27 April 2021

Location: Council Chambers, Level 1A, 1 Pope Street, Ryde and Online

Time: 7.03pm

Councillors Present in Chambers: The Mayor, Councillor Laxale and Councillors Brown, Gordon, Lane, Maggio, Moujalli, Pedersen, Purcell and Yedelian OAM.

Councillors Present online via audio visual: Councillors Clifton and Zhou.

Note: Councillor Lane arrived at the meeting at 7.12pm during Public Participation on Items Listed on the Agenda.

Note: Councillor Zhou left the meeting at 10.10pm and did not return. He was not present for voting on Items 14 and 15.

Note: Councillor Maggio left the meeting at 10.13pm and did not return. He was not present for voting on Items 14 and 15.

Note: Councillor Clifton left the meeting at 10.26pm and did not return. She was not present for voting on Items 14 and 15.

Apologies: Nil.

Leave of Absence: Councillor Kim.

Staff Present: General Manager, Director – Customer and Community Services, Director – Corporate Services, Director – City Planning and Environment, Director – City Works, General Counsel, Chief Financial Officer, Manager – Communications and Engagement, Manager – Corporate Governance, Manager – Community and Ranger Services, Manager – Parks, Manager – Operations, Manager – Project Development, Manager – Strategic Property, Manager – RALC, Acting Manager – Library Services, Risk and Insurance Manager, Senior Coordinator – Governance, Senior Coordinator – Property Management, Team Leader – Community Grants and Direct Services, Project Manager, Senior Network Engineer, Civic Services Manager and Civic Support Officer.

PRAYER

Pastor Alan Au of the Captivate Church, North Ryde was present and offered prayer prior to the commencement of the meeting.

NATIONAL ANTHEM

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

ITEM 2 (continued)

ATTACHMENT 1

LEAVE OF ABSENCE

The Mayor advised the meeting that Councillor Kim has requested a Leave of Absence for the period 27 April 2021 to 31 July 2021 inclusive.

RESOLUTION: (Moved by Councillors Pedersen and Gordon)

That Councillor Kim's Leave of Absence for the period 27 April 2021 to 31 July 2021 inclusive be approved.

Record of Voting:

For the Motion: Unanimous

DISCLOSURES OF INTEREST

The Mayor, Councillor Laxale disclosed a Less than Significant Non-Pecuniary Interest in Item 4(3) – Community Grants Program – Allocation of Funding 2021, Round 1, for the reason that members of some of the organisations listed in the report are known to him.

Councillor Pedersen disclosed a Less than Significant Non-Pecuniary Interest in Item 4(3) – Community Grants Program – Allocation of Funding 2021, Round 1, for the reason that she sits on a work group with side by side advocacy.

Councillor Lane disclosed a Significant Non-Pecuniary Interest in Notice of Motion 14 – Dog off Leash Area for the reason that he serves on a Strata Committee with a resident who has lobbied him directly on this matter.

TABLING OF PETITIONS

Councillor Maggio tabled a petition in relation to Notice of Motion 14 – Dog off Leash Area. The petition is against the Dog Off Leash Area at Kissing Point Putney and a copy is ON FILE.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

Note: Councillor Lane arrived at the meeting at 7.12pm.

The following persons addressed the Council:-

Name	Topic
Doug McNamee (representing JOLT Electric Vehicle Charging)	Item 4(5) – Electric Vehicle Charging and Hydrogen Refuelling in Ryde

ITEM 2 (continued)

ATTACHMENT 1

Name	Topic
Jason Cousins	Notice of Motion 13 – Mentoring Program around Meadowbank Skatepark

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

The following person addressed the Council:-

Name	Topic
Garbis Simonian	Development process that needs improvement and feedback

ORDER OF BUSINESS

RESOLUTION: (Moved by Councillors Purcell and Gordon)

That Council now consider the following Items, the time being 7.23pm:-

- **Item 4(5)** – Electric Vehicle Charging and Hydrogen Refuelling in Ryde
- **Notice of Motion 13** – Mentoring Program around Meadowbank Skatepark

Record for the Voting:

For the Motion: Unanimous

COUNCIL REPORTS

4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 3/21 held on 13 April 2021

5 ELECTRIC VEHICLE CHARGING AND HYDROGEN REFUELLING IN RYDE

Note: Doug McNamee (representing JOLT Electric Vehicle Charging) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Purcell and Gordon)

- (a) That Council notes the growing uptake of electric vehicles across Australia and that transport represents a large percentage of community emissions.
- (b) That Council notes results of its December 2019 survey that one of the main detractors for people switching to electric vehicles is the lack of public charging infrastructure.

ITEM 2 (continued)

ATTACHMENT 1

- (c) That Council supports the installation of electric vehicle charging infrastructure as a measure to help reduce community emissions and encourage people to make the switch to electric vehicles.
- (d) That Council continues investigation into funding programs, incentives and possible future charging partnership programs applicable to lower and zero emission vehicles technology (including hydrogen) to support increasing services across the city at low or no cost to Council.
- (e) That Council reviews existing and future urban renewal projects and council plans for the public domain or council-owned land, to include EV charging infrastructure for community use.
- (f) That Council monitors the emerging hydrogen fuel market for opportunities suitable for Ryde at a local government and community scale, following broader legislative adoption and support to assist this uptake.
- (g) That Council undertakes a review of current planning controls and travel plan guidelines to support the mandatory installation of charging infrastructure as part of new developments, in particular multi-dwelling developments, and retrofit projects.
- (h) Provides an updated report outlining funding options, or 3rd party partnerships to install suitable electric vehicle charging infrastructure in at least the 18 council owned car parks identified in attachment 1, with the report to include further analysis on other sites including but not limited to council owned parks, sports-grounds and streets.
- (i) That all reports called for in this recommendation be presented to Council at the July 2021 meeting.
- (j) That the initial review be funded from the Environmental Department Base Budget.

Record for the Voting:

For the Motion: Unanimous

ITEM 2 (continued)

ATTACHMENT 1

NOTICE OF MOTION

**13 MENTORING PROGRAM AROUND MEADOWBANK SKATEPARK -
Councillor Roy Maggio**

Note: Jason Cousins addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Maggio and Lane)

- (a) That the City of Ryde thank the Ryde Police Area Command for the action they have taken to address the instances of anti-social behaviour by a minority of users at the Meadowbank Skate Park.
- (b) That Council staff continue to meet regularly with the Chief Inspector and Crime Prevention Officer from the Ryde Police Area command, to undertake proactive initiatives to maintain the Skate Park as a safe space for families and the community to use.
- (c) That Council staff meet with Mr Jason Cousins from Youth Services Australia and give him the opportunity to provide input into future initiatives for the Meadowbank Skate Park.
- (d) That Council continue to conduct regular school holiday skateboard clinics at the Meadowbank Skate Park and collaborate with the Ryde Police Area Command and other appropriate organisations in the delivery of these.

Record for the Voting:

For the Motion: Unanimous

COUNCIL REPORTS

1 ITEMS PUT WITHOUT DEBATE

RESOLUTION: (Moved by Councillors Pedersen and Brown)

That Council adopt Item 2, Item 3, Item 4, Item 4(3), Item 5, Item 7, Item 9, Notice of Motion 8, Notice of Motion 9, Notice of Motion 10, Notice of Motion 11 and Confidential Item 12 on Council's Agenda as per the recommendations in the reports.

Record for the Voting:

For the Motion: Unanimous

ITEM 2 (continued)

ATTACHMENT 1

2 CONFIRMATION OF MINUTES - Council Meeting held on 23 March 2021

RESOLUTION: (Moved by Councillors Pedersen and Brown)

That the Minutes of the Council Meeting 2/21, held on 23 March 2021 be confirmed.

Record for the Voting:

For the Motion: Unanimous

3 CONFIRMATION OF MINUTES - Extraordinary Council Meeting held on 23 March 2021

RESOLUTION: (Moved by Councillors Pedersen and Brown)

That the Minutes of the Extraordinary Council Meeting 3/21, held on 23 March 2021 be confirmed.

Record for the Voting:

For the Motion: Unanimous

4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 3/21 held on 13 April 2021

RESOLUTION: (Moved by Councillors Pedersen and Brown)

That Council determine Item 3 of the Works and Community Committee report 3/21, held on 13 April 2021 noting that Items 1, 2, 4, 6 and 7 were dealt with by the Committee within its delegated powers and Item 5 was determined earlier in the Meeting as set out in these Minutes.

Record for the Voting:

For the Motion: Unanimous

3 COMMUNITY GRANTS PROGRAM - ALLOCATION OF FUNDING 2021, ROUND 1

Note: The Mayor, Councillor Laxale disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that members of some of the organisations listed in the report are known to him.

Note: Councillor Pedersen disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that she sits on a work group with side by side advocacy.

ITEM 2 (continued)
ATTACHMENT 1
RESOLUTION: (Moved by Councillors Pedersen and Brown)

- (a) That Council endorse funding to the following organisations in Round 1 of the 2021 Community Grants Program totaling \$148,067.

Community Wellbeing

Ref No.	Organisation	Amount Requested	Amount Recommended	Project Name/ Description	Other Comments
C W0 2	Integricare supported Playgroups Northern Sydney	\$2,000	\$2,000	The Magic of Storytelling Playgroup	
C W0 3	Probus Club of Putney-Tennyson Inc.	\$2,000	\$2,000	Probus Activities 2021/22 Social outings for retirees post-COVID.	
C W0 4	AASHA Australia Foundation	\$7,500	\$2,500	Stay Well- Live Well Activities for socially isolated seniors.	Assessed as a small category project as it meets the criteria, as outlined in the Community Grants Guidelines.
C W0 5	Australian Korean Art Therapy Association Inc.	\$7,000	\$7,000	Building Resilience for COVID-19 Art workshops and exhibition.	
C W0 7	Australian Han In Saeng Myung Line Incorporated	\$7,500	\$2,500	Promote International Couple's Happiness Professional development for volunteers and couple's workshop.	Assessed as a small category project as it meets the criteria, as outlined in the Community Grants Guidelines.
C W1 4	Link Housing Ltd	\$4,349	\$4,349	Ryde Community Greening Project Community garden project in social housing complexes.	
C W1 5	Phoenix House Youth Service	\$7,500	\$7,500	LEARN2LEARN: Establishing hubs in North Ryde for alternative education, training, enterprise skills for vulnerable young people.	

ITEM 2 (continued)

ATTACHMENT 1

C W2 1	Side-By-Side Advocacy	\$7,500	\$7,500	Access All Areas Accessible information for people with an intellectual disability.	
C W2 3	Stryder Inc.	\$4,000	\$2,210	Safe Front-Line Worker Training (volunteers and other team members).	Assessed as a small category project as it meets the criteria, as outlined in the Community Grants Guidelines. Funding for volunteer driver training only.
SM 02	Italo-Australian Seniors (auspice Stryder Inc.)	\$2,500	\$2,500	Italo-Australian Senior Citizens Group Social support activities for seniors	Moved from Small Grants, as the project meets the Community Wellbeing, small category project criteria.
SM 04	Italian Leisure Group (auspice Sydney Community Services)	\$2,200	\$2,200	Italian Seniors Support Social Project Social, educational and recreational activities for seniors.	Moved from Small Grants, as the project meets the Community Wellbeing small category project criteria.
SM 05	Rotary Club of North Ryde	\$2,500	\$2,500	Seniors Christmas Lunch Christmas lunch for frail and disabled seniors.	
Total		\$56,549	\$44,759		

Events

Ref No.	Organisation	Amount Requested	Amount Recommended	Project Name/Description	Other Comments
EV02	Sydneysiders Express Harmony Chorus	\$3,160	\$2,500	2022 Open Night and Membership Drive Free barbershop chorus concert and learn to sing in harmony workshops.	Meets criteria for minor event category. Indoor event with smaller number of people and targeted to a niche demographic.

ITEM 2 (continued)

ATTACHMENT 1

EVO 3	Christmas Carols in West Ryde (auspice West Ryde Chamber of Commerce)	\$10,000	\$7,500	Christmas Carols ANZAC Park	Meets criteria for medium event category- No matched contribution.
EVO 4	Christian Community Aid	\$7,500	\$2,500	Jamming @ Eastwood Plaza A street performance with students from local schools.	Meets criteria for minor event category. Targeted to a niche demographic
EVO 6	Rotary Club of Macquarie Park	\$15,000	\$15,000	Rotary Carols on the Common	
EVO 7	Riverside Business Chamber	\$15,000	\$15,000	Putney Village Street Festival Street festival showcasing businesses in Putney.	
EVO 8	Rotary Club of Ryde	\$7,500	\$7,500	Ryde Rotary Midway Fair Local community market.	
EVO 9	North Ryde Christian Church (auspice Combined Assemblies Properties Inc)	\$5,000	\$2,500	2021 Family Fun Day Activity day for families in North Ryde.	Meets criteria for minor event category. Targeted to a niche demographic
SP0 9	Melrose Park Football Club	\$5,000	\$5,000	Street Football World Cup and Intercultural Community Festival	Moved from Sport and Recreation category.
Total		\$68,160	\$57,500		

Arts and Creativity

Ref No.	Organisation	Amount Requested	Amount Recommended	Project Name/ Description	Other Comments
Art0 2	Message Community Church Inc. (Australian Korean Theatre Company)	\$5,000	\$2,500	Musical Production "You Are Special" in Korean language	Recommended for partial funding. Production costs for venues outside the Ryde not eligible.

ITEM 2 (continued)

ATTACHMENT 1

Art0 3	Marty Bright	\$5,000	\$2,500	Ryde Comedy Club Comedy workshops and stand-up performance.	Recommended for partial funding. Artist fees for headline/sole trader assessed as high.
Art0 4	Armenian Film Festival Australia Inc.	\$4,000	\$4,000	2021 Armenian Film Festival Screening Armenian feature films, documentaries, animations, and short films.	
Total		\$14,000	\$9,000		

Community Facilities and Equipment

Ref No.	Organisation	Amount Requested	Amount Recommended	Project Name/ Description	Other Comments
FE0 2	Cerebral Palsy Alliance	\$5,000	\$5,000	Communication device for children and adults with a disability.	
FE0 8	Ryde District Historical Society	\$4,332	\$4,332	Displaying our Past- District of Ryde Showcase the cast collection of photos, documents and maps at Willandra House for local community members.	
FE0 9	Girl Guides Association (NSW)	\$2,976	\$2,976	Eastwood Girl Guides Community service and safety equipment upgrade.	
CW1 8	Macquarie Community College	\$7,500	\$5,000	Connecting the Armenian Community Refurbished devices for a project to build digital skills and connections in the Armenian community	Moved from Community Wellbeing Category, as funding is primarily for equipment. (Maximum funding of \$5,000 in this category).
Total		\$19,808	\$17,308		

ITEM 2 (continued)
ATTACHMENT 1
Sport and Recreation

Ref No.	Organisation	Amount Requested	Amount Recommended	Project Name/ Description	Other Comments
SP0 1	Eastwood Ryde Netball Association	\$3,500	\$3,500	“Netta” Netball Program For children 7-10 years of age that have progressed from beginners’ skills to learn to play the game.	
SP0 2	Ample Abilities Inc.	\$5,000	\$5,000	Ryde Here Badminton Badminton program for people with disabilities.	
SP0 6	Ryde Eastwood Touch Association	\$5,000	\$5,000	One for the Kids: Program introducing touch football to children aged 4-10 years of age.	
SP0 7	North Ryde Dockers Football Club	\$2,000	\$1,000	Come Try Event Mid-season awareness and membership drive.	Recommended for partial funding, as funds for equipment is standard for the Club. Not eligible.
SP0 8	Gladesville Gymnastics Club	\$5,000	\$5,000	Gymnastics for All Widening access to gymnastics programs for children with a disability.	
Total		\$20,500	\$19,500		

- (b) That funding of \$147,500 is available from the Round 1 Community Grants Program budget to fund the recommended applications outlined in recommendation (a) and the additional \$567 is funded from the Community Grants Program reserve.
- (c) That Council does not endorse the following application for funding, as assessed, as not recommended.

ITEM 2 (continued)

ATTACHMENT 1

Ref No.	Organisation	Amount Requested	Amount Recommended	Project Name/ Description	Other Comments
Art0 1	May Mak	\$5,000	\$0	May's Day Literature writing project in Chinese language.	Individual project to, primarily, support one artist. Did not demonstrate benefit to broader community.

- (d) That the successful and unsuccessful applicants be advised in writing of the outcome of their applications.

Record for the Voting:

For the Motion: Unanimous

5 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE MEETING 2/21 held on 13 April 2021

RESOLUTION: (Moved by Councillors Pedersen and Brown)

That Council note that all Items 1, 2, 3 and 4 of the Finance and Governance Committee report 2/21, held on 13 April 2021 were dealt with by the Committee within its delegated powers.

Record for the Voting:

For the Motion: Unanimous

7 AUDIT, RISK AND IMPROVEMENT COMMITTEE

RESOLUTION: (Moved by Councillors Pedersen and Brown)

- (a) That Council endorses the appointment of the nominated independent member of the Audit, Risk and Improvement Committee as detailed in the report, in accordance with the Terms of Reference of the Committee.
- (b) That on behalf of Council, the Mayor, Councillor Laxale write to the former members of the Audit, Risk and Improvement Committee, Mr John Gordon and Ms Elizabeth Gavey to formally thank them for their valued contribution to the Audit, Risk and Improvement Committee.

Record for the Voting:

For the Motion: Unanimous

ITEM 2 (continued)

ATTACHMENT 1

9 NEW NOMINATION FOR SPORT AND RECREATION AND WHEELED SPORTS ADVISORY COMMITTEE

RESOLUTION: (Moved by Councillors Pedersen and Brown)

That Council endorses nominee Kim Clayton as a new member 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: Unanimous

NOTICE OF MOTIONS

8 PEDESTRIAN SAFETY ON VICTORIA ROAD, GLADESVILLE - Councillor Penny Pedersen

RESOLUTION: (Moved by Councillors Pedersen and Brown)

- (a) That Council note the increased number of pedestrians and students crossing six lanes of traffic on Victoria Road, Gladesville.
- (b) That the General Manager write to TfNSW requesting that a pedestrian safety audit be conducted on Victoria Road between Charles Street and Wharf Road, Gladesville.
- (c) That a response from TfNSW be brought back to Council.

Record for the Voting:

For the Motion: Unanimous

9 AUSGRID - MAINTENANCE OF STREET TREES UNDER AERIAL POWERLINES - Councillor Penny Pedersen

RESOLUTION: (Moved by Councillors Pedersen and Brown)

- (a) That the City of Ryde note the contribution of Ryde's street tree population to the city's urban forest, an intergenerational resources that provides multiple community benefits, and the need to improve practices and capacity to ensure these benefits.
- (b) That the City of Ryde note the responsibility of Council for the holistic management of urban forest assets owned or controlled by the City of Ryde, as outlined in the City of Ryde Development control plan 2014 Part: 9.5 Tree Preservation.

ITEM 2 (continued)

ATTACHMENT 1

- (c) That the City of Ryde acknowledges the need for line clearance to ensure consistent and uncompromised electricity supply for our communities.
- (d) That the City of Ryde note a significant loss in visual amenity, tree canopy benefits, and in some instances, increased risk of tree failure following Ausgrid's pruning activities, due to heavy pruning of a large portion of public trees under Ausgrid's powerline network.
- (e) That the City of Ryde notes that this is not unique to Ryde and that Councils elsewhere in Ausgrid's network area are experiencing similar issues with Ausgrid tree pruning practices with a similar motion being put to Newcastle Council this month.
- (f) That the City of Ryde notes continued advocacy in regards to this issue from LGNSW, Sutherland Shire Council, Parramatta City Council, Willoughby Council, City of Sydney Council, Ku-Ring-Gai Council, Inner West Council, Strathfield Council, Burwood Council, Lake Macquarie City Council, Canterbury-Bankstown City Council, Woollahra Council, Mosman Council, Randwick City Council, North Sydney Council and Northern Beaches Council.
- (g) That the City of Ryde writes to Ausgrid's CEO, Richard Goss requesting that he provide Councillors with a briefing on current practice for street tree maintenance and management under aerial power lines and formally requests that Ausgrid:-
 - (i) review current Ausgrid pruning practices.
 - (ii) implement measures to prevent the current practices from continuing.
 - (iii) compensate for street tree removal and replacement where current practices have been excessive, based on agreed public tree asset arboricultural assessments.
 - (iv) understand and acknowledge the public value of our urban forest and requirement for ongoing collaboration with CN in developing long-term solutions, and Create effective communication and notification for customers that confirms what they can expect and why, and where to direct their concerns if this expectation is not met.
 - (v) offers genuine collaboration to resolve this issue, including by making available staff and data sharing to achieve the above requests, and seeks Ausgrid's immediate attention to resolve the negative impacts on the management of the public urban forest.

ITEM 2 (continued)

ATTACHMENT 1

- (h) That Council write to the relative Minister requesting a legislative review to make sure street trees are not overly pruned.

Record for the Voting:

For the Motion: Unanimous

10 SURNAMEN BE INCLUDED ON PARKS AND PLACES NAMED AFTER WOMEN - Councillor Penny Pedersen

RESOLUTION: (Moved by Councillors Pedersen and Brown)

- (a) That the City of Ryde through consultation with Ryde Historical Society and staff Historians, ascertain the full name of the woman that Janet Park was named after and through the NSW Geographical Names Board apply to formerly have that woman's surname added to the name of the park.
- (b) That a plaque be included in the park upgrade, explaining how this woman is relevant to the district and why the park was named after her.
- (c) That this be included in the design and funded from the Park Upgrade Budget.
- (d) That if the woman's full name cannot be identified, that the Heritage Advisory Committee and the Status of Women Advisory Committee be asked for suggestions on renaming the park after a woman from the same period who made great contributions to the Ryde community and that these names be brought back to Council for consideration.
- (e) That staff identify a list of other parks with only a person's first name and a report be brought back to the Status of Women Advisory Committee and the Heritage Advisory Committee suggesting who each of these parks might have been named after.

Record for the Voting:

For the Motion: Unanimous

ITEM 2 (continued)

ATTACHMENT 1

11 CLEAN ENERGY REVOLVING FUND - Councillor Christopher Gordon

RESOLUTION: (Moved by Councillors Pedersen and Brown)

- (a) That Council supports the adoption of a Clean Energy Revolving Fund for the City to ensure Council meets its obligations under the 100% Renewable Energy by 2030 resolution, and the State Government's Net Zero targets towards reducing carbon emissions and ensuring the continuation of works for Climate Action.
- (b) That the Clean Energy Fund:-
 - (i) commence from 1 July 2022.
 - (ii) consider initiation funding and future funding to delivery necessary works.
 - (iii) include the previously installed solar systems on Council buildings as part of the savings fund.
- (c) That a report be brought back to Council outlining a model that includes the financial implications and deliverables from the fund initiation, as aligning with regional objectives, and how other Councils have implemented similar schemes.

Record for the Voting:

For the Motion: Unanimous

COUNCIL REPORT

12 DEFERRED REPORT: REQUEST FOR TENDER – COR-RFT-02/20 – SOLE PROFESSIONAL COACHING RIGHTS DURING PEAK TIMES AT THE RYDE AQUATIC LEISURE CENTRE

RESOLUTION: (Moved by Councillors Pedersen and Brown)

- (a) That pursuant to Clause 178(1)(a) of the Local Government (General) Regulations 2005, Council accepts the tender from Carlile Swim Centres Pty Ltd for the Sole Professional Coaching Rights During Peak Times at the Ryde Aquatic Leisure Centre for the lump sum amount of \$162,000 (excluding GST).
- (b) That Council delegate to the General Manager the authority to enter into a contract with Carlile Swim Centre Pty Ltd on the terms contained within the tender and for minor amendments to be made to the contract documents that are not of a material nature.

ITEM 2 (continued)

ATTACHMENT 1

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

Record for the Voting:

For the Motion: Unanimous

2 CONFIRMATION OF MINUTES - Council Meeting held on 23 March 2021

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

3 CONFIRMATION OF MINUTES - Extraordinary Council Meeting held on 23 March 2021

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

4 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 3/21 held on 13 April 2021

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

3 COMMUNITY GRANTS PROGRAM - ALLOCATION OF FUNDING 2021, ROUND 1

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

5 ELECTRIC VEHICLE CHARGING AND HYDROGEN REFUELLING IN RYDE

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

5 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE MEETING 2/21 held on 13 April 2021

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

ITEM 2 (continued)

ATTACHMENT 1

6 DRAFT 2021/2025 FOUR YEAR DELIVERY PROGRAM INCLUDING DRAFT 2021/2022 ONE YEAR OPERATIONAL PLAN

RESOLUTION: (Moved by Councillors Purcell and Gordon)

- (a) That Council, in accordance with legislative requirements, resolve to place the draft 2021-2025 Four Year Delivery Program (including One Year Operational Plan 2021/22) and the Draft 2021/22 Fees and Charges schedule on public exhibition for a period 1 May 2021 to 28 May 2021 (inclusive).
- (b) That Council endorses the reclassification of the Sports Person Donations Category in the Community Grants Policy to the Representative Donations Category and incorporate it into the draft 2021-2025 Four Year Delivery Program (including One Year Operational Plan 2021/22) to be placed on public exhibition.

Record for the Voting:

For the Motion: Unanimous

7 AUDIT, RISK AND IMPROVEMENT COMMITTEE

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

8 REFERENDUM QUESTION REGARDING POPULAR ELECTION OF MAYOR

Note: Councillor Yedelian OAM left the meeting at 8.12pm during discussion on this Item and was not present for voting on this Item.

RESOLUTION: (Moved by Councillors Gordon and Purcell)

- (a) That Councillors endorse the following question regarding the popular election of the Mayor:-

Do you support a popularly elected Mayor where the voters of the City of Ryde elect the Mayor for a four (4) year term, thereby adopting a thirteen (13) Councillor model (including the Mayor)?

- (b) That this question be sent to the Office of Local Government for review and if the Office has any adverse comments about the question, a report be brought back to Council.

ITEM 2 (continued)

ATTACHMENT 1

Record for the Voting:

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

Against the Motion: Councillors Brown, Lane, Maggio and Moujalli

9 NEW NOMINATION FOR SPORT AND RECREATION AND WHEELED SPORTS ADVISORY COMMITTEE

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

10 REPORT FOR THE INFORMATION OF COUNCIL - EXCLUSION OF ITEMS OF BUSINESS FROM THE COUNCIL MEETING HELD ON 23 MARCH 2021

Note: An Information Report was presented to Council.

NOTICES OF MOTION

1 DEFERRED NOTICE OF MOTION: ELTHAM STREET, GLADESVILLE - Councillor Roy Maggio

Note: Councillor Yedelian OAM returned to the meeting at 8:14pm.

MOTION: (Moved by Councillors Maggio and Lane)

That Council confirms its responsible for the ongoing maintenance of the private stormwater discharge pipes installed by Council in the verge of Eltham Street as part of the Eltham Street upgrade works of late 2020/21 and that Council confirm such in writing to affected residents.

AMENDMENT: (Moved by Councillors Gordon and Purcell)

That Council continue to implement the requirements specified within *Section 142 Maintenance of works and structures* of the *Roads Act 1993*, where the ongoing maintenance of the private infrastructure within the road verge is the sole responsibility of the benefiting property owner.

On being put to the meeting the voting on the Amendment was nine (9) For and two (2) Against. The Amendment was **CARRIED** and then became the Motion.

ITEM 2 (continued)

ATTACHMENT 1

Record for the Voting:

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

Against the Amendment: Councillors Lane and Maggio

RESOLUTION: (Moved by Councillors Gordon and Purcell)

That Council continue to implement the requirements specified within *Section 142 Maintenance of works and structures of the Roads Act 1993*, where the ongoing maintenance of the private infrastructure within the road verge is the sole responsibility of the benefiting property owner.

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

**2 DEFERRED NOTICE OF MOTION: MONASH PARK, GLADESVILLE -
Councillor Roy Maggio**

RESOLUTION: (Moved by Councillors Maggio and Lane)

- (a) That Council continue to manage the trees in Monash Park consistent with the principles detailed in Council's adopted Tree Management Plan and Generic Plans of Management (Parks, General Community Use and Sportsgrounds).
- (b) That Staff review and update the *Tree Management Plan* during the 2021/22 period and undertake community consultation as part of the review.

Record for the Voting:

For the Motion: Unanimous

**3 DEFERRED NOTICE OF MOTION: PLAQUE FOR ERNIE HEATLY -
Councillor Penny Pedersen**

RESOLUTION: (Moved by Councillors Pedersen and Lane)

- (a) That the City of Ryde acknowledges the devastating loss to family, friends and community when East Ryde newsagent, Ernie Heatly tragically lost his life in 1983.

ITEM 2 (continued)

ATTACHMENT 1

- (b) That the City of Ryde, in consultation with the Heatly family and with their consent, install a plaque at Heatly Reserve, as part of the Reserve upgrade, in memory of Ernie and his contribution to community life in East Ryde.
- (c) That the City of Ryde consult with the Heatly family about the specific inscription on the plaque and identify an appropriate unveiling opportunity consistent with Council policy.
- (d) That the City of Ryde allocate appropriate funding from the Parks Upgrade Budget.

Record for the Voting:

For the Motion: Unanimous

4 DEFERRED NOTICE OF MOTION: INTERNATIONAL WOMEN'S DAY EVENT - Councillor Penny Pedersen

RESOLUTION: (Moved by Councillors Pedersen and Purcell)

- (a) That Council acknowledges and thanks those people who attended the City of Ryde International Women's Day event on 13 March and those who attended the March for Justice events in Sydney, Canberra and other cities in Australia.
- (b) That Council acknowledges that the City of Ryde is home to survivors of abuse and re-affirms our commitment to stand up against sexual violence, workplace bullying and domestic abuse, noting the exceptional work of the Ryde, Hunters Hill Domestic and Family Violence Committee.
- (c) That the Mayor write to the Prime Minister, The Hon. Scott Morrison MP, Senator the Hon. Marise Payne, and Senator the Hon. Anne Ruston, acknowledging their response to the recent calls for action and calling on them to:
 - Fully implement the 55 recommendations in the Australian Human Rights Commission's Respect@Work report of the National Inquiry into Sexual Harassment in Australian Workplaces 2020.
 - Lift public funding for gendered violence prevention.
 - And develop a federal Gender Equality Act.
 - Identify the missing links in services such as safe transition for victims returning to life in the community and make sure these services have adequate ongoing funding.

ITEM 2 (continued)

ATTACHMENT 1

- (d) That this letter be added to the Safety Summit Consultation via the Federal Government Engage website prior to the July summit.

Record for the Voting:

For the Motion: Unanimous

**5 DEFERRED NOTICE OF MOTION: COMMUNITY VEGETABLE GARDEN -
Councillor Roy Maggio**

RESOLUTION: (Moved by Councillors Maggio and Lane)

- (a) That Council seek applications to establish a Community Vegetable Garden at an appropriate site in Putney in accordance with our Community Garden Policy Procedure.
- (b) That following community consultation surrounding the suggested appropriate site, a report be brought back outlining steps to establishing the garden.

Record for the Voting:

For the Motion: Unanimous

**6 DEFERRED NOTICE OF MOTION: GREENING OUR CITY - GRANTS -
Councillor Jordan Lane**

Note: The Mayor called for a Mover and Seconder for this Motion. As there was no Mover or Seconder, the Motion lapsed.

**7 DEFERRED NOTICE OF MOTION: GLADESVILLE SHOPPING PRECINCT -
Councillor Roy Maggio**

MOTION: (Moved by Councillors Maggio and Lane)

- (a) That Council seek to reinvigorate the Gladesville Shopping Precinct streetscape on the Ryde side of Victoria Road, from Linsley Street, through the intersection of Jordan Street / Pittwater Road to the corner of Hepburn Avenue.
- (b) That Council seek feedback from the business owners and the community to activate the area.

ITEM 2 (continued)

ATTACHMENT 1

- (c) That Council exhibit a new activated design with inclusions such as new landscaping, seating, Wi-Fi, granite footpaths, chess board and trees.
- (d) To be funded from Town Centre Upgrade fund or like.

AMENDMENT: (Moved by Councillors Purcell and Gordon)

- (a) That Council endorse the adopted Town Centre Upgrade Program outlined in the Four Year Delivery Plan.
- (b) That Council continues to explore opportunities to activate Gladesville Town Centre within existing budgets.

On being put to the Meeting, Councillor Maggio abstained from voting and accordingly his vote was recorded against the Amendment. The voting on the Amendment was seven (7) For and four (4) Against. The Amendment was **CARRIED** and then became the Motion.

Record for the Voting:

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

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

Note: Councillor Brown left the meeting 9.21pm and was not present for voting on this Item.

Note: Councillor Gordon left the meeting 9.21pm and was not present for voting on this Item.

RESOLUTION: (Moved by Councillors Purcell and Gordon)

- (a) That Council endorse the adopted Town Centre Upgrade Program outlined in the Four Year Delivery Plan.
- (b) That Council continues to explore opportunities to activate Gladesville Town Centre within existing budgets.

Record for the Voting:

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

Against the Motion: Councillors Maggio

ITEM 2 (continued)

ATTACHMENT 1

8 PEDESTRIAN SAFETY ON VICTORIA ROAD, GLADESVILLE - Councillor Penny Pedersen

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

9 AUSGRID - MAINTENANCE OF STREET TREES UNDER AERIAL POWERLINES - Councillor Penny Pedersen

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

10 SURNAMEN BE INCLUDED ON PARKS AND PLACES NAMED AFTER WOMEN - Councillor Penny Pedersen

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

11 CLEAN ENERGY REVOLVING FUND - Councillor Christopher Gordon

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

12 EPPING SCOUTS REIMBURSEMENT FOR WORKS COMPLETED - Councillor Bernard Purcell

Note: Councillor Brown returned to the meeting at 9.22pm.

Note: Councillor Gordon returned to the meeting at 9.22pm.

RESOLUTION: (Moved by Councillors Purcell and Lane)

- (a) That Council notes the Epping Scout Group have spent \$4,540 for toilet upgrades and \$3,784 for sea wall works (total \$8,324) in their recent Meadowbank Boatshed development.
- (b) That Council notes the refurbishment includes works to public amenities and infrastructure.
- (c) That Council provide a reimbursement for these works of \$8,324 to the Epping Scout Group funded from the 2020/21 Park Buildings Maintenance Budget, subject to public exhibition.

ITEM 2 (continued)

ATTACHMENT 1

- (d) That the proposed recommendation as identified in part (c) above be exhibited for a minimum period of 28 days with a further report being brought back to Council to determine the resolution following the exhibition period.

Record for the Voting:

For the Motion: Unanimous

**13 MENTORING PROGRAM AROUND MEADOWBANK SKATEPARK -
Councillor Roy Maggio**

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

14 DOG OFF LEASH AREA - Councillor Roy Maggio

Note: Councillor Lane disclosed a Significant Non-Pecuniary Interest in this Item for the reason that he serves on a Strata Committee with a resident who has lobbied him directly on this matter. He left the meeting at 9.24pm and was not present for consideration or voting on this Item.

Note: Councillor Maggio tabled a petition in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Maggio and Pedersen)

- (a) That Council strongly consider in the upcoming report in May 2021 to have the Dog Off Leash Area at Kissing Point Putney relocated to another designated area.
- (b) That Council request that the independent biodiversity report be included in the Dog Recreation Needs Study report due to Council in May 2021, noting that some Councillors had raised concerns about the Kissing Point site in the May 2020 Works and Community Committee and Council meeting.
- (c) That should Council adopt the report, that those who signed the petition, along with those who made a submission, be notified.
- (d) That Council ensure proper signage and enforcement at all foreshore dog park sites.

Record for the Voting:

For the Motion: Unanimous

ITEM 2 (continued)

ATTACHMENT 1

15 LEVY STREET AND FRANCES ROAD, PUTNEY - Councillor Roy Maggio

Note: Councillor Lane returned to the meeting at 9:30pm.

RESOLUTION: (Moved by Councillors Maggio and Lane)

- (a) That council note the request for providing pram/kerb egress on both sides of Levy Street and Frances Road Putney.
- (b) That works be scheduled to satisfy this request in future delivery plans as soon as practicable.
- (c) That Council's traffic officers engage to meet the residents of Levy Street and Frances Road, Putney within 7 days to discuss solutions to the parking problems.

Record for the Voting:

For the Motion: Unanimous

CLOSED SESSION

**ITEM 11 - DEFERRED REPORT: REQUEST FOR TENDER - COR-RFT-17/20
COXS ROAD (NORTH RYDE) PUBLIC DOMAIN UPGRADE**

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

ITEM 13 - PROPERTY MATTER

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

ITEM 2 (continued)

ATTACHMENT 1

ITEM 14 - DEFERRED REPORT: 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.

ITEM 15 - ADVICE ON COURT ACTIONS

Confidential

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

RESOLUTION: (Moved by Councillors Purcell and Clifton)

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

Record for the Voting:

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

Against the Motion: Councillor Lane

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

CONFIDENTIAL COUNCIL REPORTS

11 DEFERRED REPORT: REQUEST FOR TENDER - COR-RFT-17/20 COXS ROAD (NORTH RYDE) PUBLIC DOMAIN UPGRADE

RECOMMENDATION: (Moved by Councillors Purcell and Pedersen)

- (a) That pursuant to Clause 178(1)(a) of the Local Government (General) Regulation 2005, Council accepts the tender from CA & I Pty Ltd as detailed in the report.

ITEM 2 (continued)

ATTACHMENT 1

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

Record for the Voting:

For the Motion: Unanimous

12 DEFERRED REPORT: REQUEST FOR TENDER - COR-RFT-02/20 – SOLE PROFESSIONAL COACHING RIGHTS DURING PEAK TIMES AT THE RYDE AQUATIC LEISURE CENTRE

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

13 PROPERTY MATTER

Note: Councillor Maggio left the meeting at 10.00pm and was not present for voting on this Item.

RECOMMENDATION: (Moved by Councillors Purcell and Gordon)

- (a) That Council does not consent to the proposal by TfNSW to transfer ownership of Lot 5 for a nominal amount of \$1 or nil consideration / compensation.
- (b) That discussions and negotiations are accelerated between TfNSW and Council to seek to achieve agreement on acceptable commercial terms for the acquisition of Lot 5 by TfNSW.
- (c) That, subject to acceptable commercial terms being agreed between both parties, Council delegates authority to the General Manager to negotiate the disposal of Lot 5, and to enter into short-term licence or lease arrangements for other Council-owned lands required for this project and to execute all related documentation.

Record for the Voting:

For the Motion: Unanimous

ITEM 2 (continued)

ATTACHMENT 1

PROCEDURAL MOTION

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

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

That Council now consider the following Items in conjunction, the time being 10.05pm:-

- **Item 14** – Deferred Report: Advice on Court Actions.
- **Item 15** – Advice on Court Actions.

Record for the Voting:

For the Motion: Unanimous

CONFIDENTIAL COUNCIL REPORTS

14 DEFERRED REPORT: ADVICE ON COURT ACTIONS

15 ADVICE ON COURT ACTIONS

Note: Councillor Maggio returned to the meeting at 10.06pm.

Note: Councillor Zhou left the meeting at 10.10pm during discussion on this Item and did not return. He was not present for voting on this Item.

Note: Councillor Maggio left the meeting at 10.13pm during discussion on this Item and did not return. He was not present for voting on this Item.

Note: Councillor Clifton left the meeting at 10.26pm during discussion on this Item and did not return. She was not present for voting on this Item.

RECOMMENDATION: (Moved by Councillors Purcell and Gordon)

That the report of the General Counsel be received.

Record for the Voting:

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

Against the Motion: Councillor Lane

ITEM 2 (continued)

ATTACHMENT 1

OPEN SESSION

Note: Councillors Clifton, Maggio and Zhou were not present for consideration or voting on this Item.

RESOLUTION: (Moved by Councillors Purcell and Pedersen)

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

Record for the Voting:

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

Against the Motion: Councillor Lane

Note: Open Council resumed at 10.28pm.

The meeting closed at 10.28pm.

CONFIRMED THIS 25TH DAY OF MAY 2021

Chairperson

**3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 4/21
held on 11 May 2021**

Report prepared by: Civic Services Manager

File No.: CLM/21/1/1/2 - BP21/378

REPORT SUMMARY

Attached are the Minutes of the Works and Community Committee Meeting 4/21 held on 11 May 2021. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

Items 1, 2, 3, 4, 5(A), 5(B), 5(D), 5(E), 5(F), 5(G), 5(H), and 5(I) were dealt with by the Committee within its delegated powers.

The following Committee recommendation for Item 5(C) 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:

**5 TRAFFIC AND PARKING MATTERS APPROVED BY THE RYDE
TRAFFIC COMMITTEE MEETING - APRIL 2021**

RECOMMENDATION: (Moved by Councillors Gordon and Pedersen)

(C) ORCHARD ROAD, WEST RYDE – NEW BUS ZONE

That consideration of this Item be deferred pending consultation with the affected residents and the provision of information regarding the removal of the tree at the bus stop.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **25 MAY 2021** as substantive changes were made to the published recommendation.

ATTACHMENTS

- 1 MINUTES - Works and Community Committee Meeting - 11 May 2021**

ITEM 3 (continued)

ATTACHMENT 1

**Works and Community Committee
MINUTES OF MEETING NO. 4/21**

Meeting Date: Tuesday 11 May 2021

Location: Council Chambers, Level 1A, 1 Pope Street, Ryde and Online

Time: 6.00pm

Councillors Present in Chambers: Councillors Purcell (Chairperson) Brown, Gordon, Pedersen and Yedelian OAM.

Councillors Present online via audio visual: Councillor Clifton.

Apologies: Nil.

Leave of Absence: Councillor Kim.

Absent: Councillor Maggio.

Staff Present: General Manager, Director – Customer and Community Services, Director – Corporate Services, Director – City Planning and Environment, Director – City Works, Chief Financial Officer, Manager – Communications and Engagement, Manager – Parks, Manager – Transport, Risk and Insurance Manager, Senior Coordinator – Parks Planning, IT Applications Support Officer, Civic Services Manager, and Executive Assistant to Mayor and Councillors.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

**1 CONFIRMATION OF MINUTES - Works and Community Committee
Meeting held on 13 April 2021**

RESOLUTION: (Moved by Councillors Gordon and Pedersen)

That the Minutes of the Works and Community Committee Meeting 3/21, held on 13 April 2021, be confirmed.

Record of Voting:

For the Motion: Unanimous

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

ITEM 3 (continued)

ATTACHMENT 1

2 ITEMS PUT WITHOUT DEBATE

RESOLUTION: (Moved by Councillors Gordon and Pedersen)

That the Committee adopt Item 3 on the Committee Agenda as per the recommendation in the report.

Record of Voting:

For the Motion: Unanimous

3 ADOPTION OF THE GENERIC PLAN OF MANAGEMENT - NATURAL AREAS

RESOLUTION: (Moved by Councillors Gordon and Pedersen)

- (a) That Council adopt the *Generic Plan of Management – Natural Areas* (April 2021) in accordance with Section 40 of *the Local Government Act 1993*.
- (b) That Council adopt the updated Generic Plans of Management *Appendix A – Land Information – Community and Crown Lands* (April 2021) and *Appendix B – Maps Series* (April 2021) to include parks covered by the Generic Plan of Management – Natural Areas.
- (c) That staff write to thank all residents who participated in the preparation of the *Generic Plan of Management – Natural Areas* and inform them of Council's resolution.

Record of 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 GENERIC PLAN OF MANAGEMENT - NATURAL AREAS

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

4 OPEN SPACE FUTURE PROVISION STRATEGY - ADOPTION

RESOLUTION: (Moved by Councillors Gordon and Clifton)

- (a) That Council adopt the *City of Ryde Open Space Future Provision Strategy* without change to the draft presented to the community during the public exhibition period.

ITEM 3 (continued)

ATTACHMENT 1

- (b) That future projects detailed within the *Strategy*, when implemented, be subject to the completion of a Review of Environmental Factors or Development Application (as per requirements of the Environmental Planning and Assessment Act 1979) to assess the environmental impacts of the proposed works.
- (c) That the *City of Ryde Synthetic Surfaces Action Plan* be updated following the outcomes of the NSW Governments review of synthetic sports surfaces and returned to Council for consideration and endorsement.
- (d) That staff write to thank all residents who participated in the *City of Ryde Open Space Future Provision Strategy* and inform them of Council's resolution.

Record of Voting:

For the Motion: Unanimous

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

5 TRAFFIC AND PARKING MATTERS APPROVED BY THE RYDE TRAFFIC COMMITTEE MEETING - APRIL 2021

RESOLUTION: (Moved by Councillors Gordon and Pedersen)

That Council endorses the following Ryde Traffic Committee recommendation:-

(A) MEADOWBANK EDUCATION EMPLOYMENT PRECINCT – TRAFFIC FACILITIES

That the following changes be made as part of the Meadowbank Education Employment Precinct, Meadowbank:

- a) An elevated shared user path and kerbside 1.2m footpath be provided on the western side of Hermitage Road from the interface of the Sydney Water driveway to the intersection with Rhodes Street.
- b) A shared user path be provided along the southern side of Rhodes Street.
- c) A combined Bus Zone, No Parking Kiss n Ride Zone and ¼ P Parking Zone be provided along the southern side of Rhodes Street, with the operating hours of the above zones to be determined in conjunction with State Transit Authority (STA) and Schools Infrastructure New South Wales.
- d) A raised pedestrian crossing be provided on the western end of Macpherson Street at its intersection with Mellor Street.
- e) A shared user path be provided along the southern side of Macpherson Street.

ITEM 3 (continued)

ATTACHMENT 1

- f) A time restricted Bus Zone be provided on the southern side of Macpherson Street, with times to be agreed with STA.
- g) A combined cycling and raised pedestrian crossing be provided on the eastern end of Macpherson Street at its intersection with Bowden Street.
- h) A shared user path be provided on the western side of Bowden Street between Macpherson Street and Victoria Road.
- i) A commuter peak hour No Stopping zone be provided on the eastern side of Bowden Street from the intersection of Squire Street to the bus zone located immediately south of Victoria Road.
- j) A combined cycling and raised pedestrian crossing be provided on Bowden Street immediately south of the roundabout intersection with Squire Street.
- k) The existing footpath on the southern side of Squire Street be rehabilitated to address any deficiencies.
- l) Bicycle symbols be marked in both directions on Squire Street
- m) Adjustments be made to the splitter island on Squire Street approaching the roundabout intersection with Bowden Street.
- n) KEEP CLEAR be marked on Bowden Street at its intersection with Macpherson Street.
- o) All the above facilities be constructed, signposted and delineated as TfNSW Technical Directions.

Record of Voting:

For the Motion: Unanimous

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

RESOLUTION: (Moved by Councillors Gordon and Pedersen)

That Council endorses the following Ryde Traffic Committee recommendation:-

(B) ROAD SAFETY UPDATE – ROAD SAFETY PROGRAMS

- a) The Road Safety report be received and noted.

Record of 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

RECOMMENDATION: (Moved by Councillors Gordon and Pedersen)

(C) ORCHARD ROAD, WEST RYDE – NEW BUS ZONE

That consideration of this Item be deferred pending consultation with the affected residents and the provision of information regarding the removal of the tree at the bus stop.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **25 MAY 2021** as substantive changes were made to the published recommendation.

RESOLUTION: (Moved by Councillors Gordon and Pedersen)

That Council endorses the following Ryde Traffic Committee recommendation:-

(D) RYDE ROAD, GLADESVILLE – PROPOSED MOTORCYCLES ONLY ZONE

The following parking changes be made in Ryde Road, Gladesville:

- a) A 3.7m Motorcycles Only parking zone be created between the two driveways of 165 and 163 Ryde Road, Gladesville.

Record of Voting:

For the Motion: Unanimous

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

RESOLUTION: (Moved by Councillors Gordon and Pedersen)

That Council endorses the following Ryde Traffic Committee recommendation:-

(E) BALACLAVA ROAD, EASTWOOD – PEDESTRIAN REFUGE

The following changes be made in Balaclava Road, Eastwood:

- a) The installation of a pedestrian refuge on Balaclava Road, near the intersection with Lincoln Street, be approved in principle and installed once funding becomes available. The refuge to be designed, signposted and delineated in accordance with RMS Technical Direction TDT2011/01.

Record of 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

RESOLUTION: (Moved by Councillors Gordon and Pedersen)

That Council endorses the following Ryde Traffic Committee recommendation:-

(F) BLENHEIM ROAD, NORTH RYDE – ROAD SAFETY

The following changes be made in Blenheim Road, North Ryde:

- a) The existing No Stopping area on the eastern side of Blenheim Road adjacent to No.7 be extended 10.2m south to the southern edge of the driveway access to No.5 Blenheim Road.
- b) A 1.2m painted island be installed between the kerb buildout for the pedestrian refuge and the northern edge of the driveway access of No.7 Blenheim Road.

Record of Voting:

For the Motion: Unanimous

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

RESOLUTION: (Moved by Councillors Gordon and Pedersen)

That Council endorses the following Ryde Traffic Committee recommendation:-

(G) DAVID AVENUE, NORTH RYDE – MOBILITY/DISABLED PARKING

The following parking changes be made in David Avenue, North Ryde:

- a) The eastern most 90° parking space at the commercial area at 23 David Avenue commercial centre be signposted as a mobility/disability parking space, with an additional area of line marking to maintain a clear space and ensure compliance with disabled parking requirements.
- b) That a continuity line be marked from Holt Street to David Avenue to direct motorists around the intended disabled parking space.

Record of 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

RESOLUTION: (Moved by Councillors Gordon and Pedersen)

That Council endorses the following Ryde Traffic Committee recommendation:-

(H) EASTWOOD TOWNCENTRE – PARKING RESTRICTIONS

The following parking changes be made in Eastwood Town Centre:

- a) The ½P (8AM-6PM, MON-SUN) timed restrictions on Hillview Road and West Parade (24 parking spaces) be converted to 1P (8AM-6PM, MON-SUN & Public Holidays).
- b) Due to the low response rate and lack of support, no changes be made to the timed restrictions on Railway Parade (22 spaces), however the existing timed restrictions will now be enforceable on public holidays. Existing timed restrictions will now include the words “& Public Holidays”.

Record of Voting:

For the Motion: Unanimous

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

RESOLUTION: (Moved by Councillors Gordon and Pedersen)

That Council endorses the following Ryde Traffic Committee recommendation:-

(I) THE AVENUE, GLADESVILLE – PARKING RESTRICTIONS

The following parking changes be made in The Avenue, Gladesville:

- a) The three (3) unrestricted parking spaces along The Avenue be converted to “No Parking, 8AM-4PM, MON-FRI”.

Record of Voting:

For the Motion: Unanimous

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

The meeting closed at 6.17pm.

CONFIRMED THIS 8TH DAY OF JUNE 2021.

Chairperson

**4 REPORT OF THE FINANCE AND GOVERNANCE COMMITTEE MEETING
3/21 held on 11 May 2021**

Report prepared by: Civic Services Manager
File No.: CLM/21/1/1/2 - BP21/379

REPORT SUMMARY

Attached are the Minutes of the Finance and Governance Committee Meeting 3/21 held on 11 May 2021. The Minutes will be listed for confirmation at the next Finance and Governance Committee Meeting.

Items 1, 2 and 3 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 DOMESTIC VIOLENCE AND COERCIVE CONTROL MASTERCLASS - 9
and 10 June 2021 in Sydney**

RECOMMENDATION: (Moved by Councillors Gordon and Clifton)

- (a) That Council approve Councillors Pedersen's request to attend the Domestic Violence and Coercive Control Masterclass in Sydney on 9 and 10 June 2021 including attendance fees, travel and other associated expenses.
- (b) That Council determine whether any other Councillor wishes to attend this Masterclass.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **25 MAY 2021** as it is outside the Committee's delegations.

ATTACHMENTS

- 1 MINUTES - Finance and Governance Committee Meeting - 11 May 2021**

ITEM 4 (continued)

ATTACHMENT 1

**Finance and Governance Committee
MINUTES OF MEETING NO. 3/21**

Meeting Date: Tuesday 11 May 2021

Location: Council Chambers, Level 1A, 1 Pope Street, Ryde and Online

Time: 6.45pm

Councillors Present in Chambers: Councillors Purcell (Chairperson) Brown, Gordon and Pedersen.

Councillors Present online via audio visual: Councillor Clifton.

Apologies: Nil.

Leave of Absence: Councillor Kim.

Absent: Councillor Maggio.

Note: The Deputy Chairperson, Councillor Purcell chaired the meeting on behalf of the Chairperson, Councillor Clifton.

Staff Present: General Manager, Director – Customer and Community Services, Director – Corporate Services, Director – City Planning and Environment, Director – City Works, Chief Financial Officer, Manager – Communications and Engagement, Risk and Insurance Manager, IT Applications Support Officer, Civic Services Manager, and Executive Assistant to Mayor and Councillors.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

**1 CONFIRMATION OF MINUTES - Finance and Governance Committee
Meeting held on 13 April 2021**

RESOLUTION: (Moved by Councillors Gordon and Pedersen)

That the Minutes of the Finance and Governance Committee 2/21, held on 13 April 2021, be confirmed.

Record of Voting:

For the Motion: Unanimous

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

ITEM 4 (continued)

ATTACHMENT 1

2 ITEMS PUT WITHOUT DEBATE

RESOLUTION: (Moved by Councillors Gordon and Clifton)

That the Committee adopt Item 4 on the Committee Agenda as per the recommendation in the report.

Record of Voting:

For the Motion: Unanimous

4 DOMESTIC VIOLENCE AND COERCIVE CONTROL MASTERCLASS - 9 and 10 June 2021 in Sydney

RECOMMENDATION: (Moved by Councillors Gordon and Clifton)

- (a) That Council approve Councillors Pedersen's request to attend the Domestic Violence and Coercive Control Masterclass in Sydney on 9 and 10 June 2021 including attendance fees, travel and other associated expenses.
- (b) That Council determine whether any other Councillor wishes to attend this Masterclass.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **25 MAY 2021** as it is outside the Committee's delegations.

3 INVESTMENT REPORT AS AT 30 APRIL 2021

RESOLUTION: (Moved by Councillors Gordon and Clifton)

That Council endorse the Investment Report as at 30 April 2021.

Record of Voting:

For the Motion: Unanimous

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

ITEM 4 (continued)

ATTACHMENT 1

4 DOMESTIC VIOLENCE AND COERCIVE CONTROL MASTERCLASS - 9 and 10 June 2021 in Sydney

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

The meeting closed at 6.56pm.

CONFIRMED THIS 8TH DAY OF JUNE 2021.

Chairperson

**5 MARCH 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 - BP21/408

REPORT SUMMARY

Council's Four-Year Delivery Plan 2020-2024, and One Year 2020/21 Operational Plan, set out Council's strategic and financial objectives. 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.

Council's seven outcome areas and information about our performance in achieving our targets to 30 June 2021, are contained in the attached document. 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 2020/21 financial year.

This review brings to account a range of necessary income and expenditure adjustments that are typical during any financial year. All adjustments are offset either by income and expenditure, or in specific cases by Council's reserves that have been set aside for the related purpose.

The proposed March 2021 Quarterly Review budget adjustments will have no net impact on Council's current working capital balance of \$4.5 million (Council's minimum uncommitted working capital balance).

RECOMMENDATION:

- (a) That the report of the March 2021 Quarterly Review Statement - Four Year Delivery Plan 2020 - 2024 and One Year 2020/21 Operational Plan, *Quarter Three, January– March 2021* 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 - 3rd Quarter January to March 2021 - CIRCULATED UNDER SEPARATE COVER

Report Prepared By:
Pav Kuzmanovski
Chief Financial Officer

Report Approved By:
Mark Eady
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 Three, January – March 2021* 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 March 2021 Quarterly Review. This primary changes in this review brings to account \$2.25m of Capital grants received during the quarter anticipated to be spent by 30 June 2021. These grants are received for specific capital works and can only be spent on the purpose of which they were allocated. An additional \$1.2m of Domestic Waste Income was also brought to account during the quarter which will be transferred to the Domestic Waste Reserve due to the nature of this revenue. An update of the COVID-19 impacts of the budget will be provided below.

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	-	98,714	1,200	99,914	75,441
User charges and fees	12,651	-	12,936	1,440	14,376	11,225
Interest and investment revenue	3,724	-	3,700	-	3,700	2,891
Other revenues	10,795	-	10,713	161	10,874	7,278
Grants & contributions provided for operating purposes	6,151	100	4,976	-	4,976	3,666
Grants & contributions provided for capital purposes	15,764	490	14,362	2,255	16,617	9,907
Net gain from the disposal of assets					-	
TOTAL INCOME FROM CONTINUING OPERATIONS	147,520	590	145,402	5,056	150,458	110,408
EXPENSES FROM CONTINUING OPERATIONS						
Employee benefits and on-costs	53,591	-	53,755	62	53,817	36,348
Borrowing costs	183	-	183	-	183	34
Materials and contracts	33,045	1,328	37,244	79	37,322	19,034
Depreciation and amortisation	21,804	-	21,133	-	21,133	15,850
Other expenses	24,597	-	22,971	157	23,127	14,099
Net loss from the disposal of assets					-	
TOTAL EXPENSES FROM CONTINUING OPERATIONS	133,220	1,328	135,285	298	135,583	85,365
NET OPERATING RESULT	14,300	(738)	10,117	4,758	14,875	25,044
Capital Expenditure and Repayments to Liability						
Capital Expenditure	80,640	21,792	109,253	1,529	110,782	29,019
Loan Repayment	317	-	317	-	317	273
Lease Payment	1,981	-	1,981	-	1,981	1,577
TOTAL CAPITAL EXPENDITURE AND REPAYMENTS TO LIABILITY	82,938	21,792	111,551	1,529	113,080	30,870
TOTAL FUNDING REQUIRED	68,638	22,531	101,434	(3,229)	98,205	5,826
Reserves Drawdown	45,414	22,531	78,881	(4,979)	73,901	(7,669)
Depreciation Contra	23,224	-	22,553	1,750	24,303	19,022
TOTAL FUNDING	68,638	22,531	101,434	(3,229)	98,205	11,354
NET BUDGET POSITION	-	-	-	-	-	(5,527)
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 Three, January – March 2021'

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 its target threshold of \$4.50 million.

In the March 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
March 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. This was based on an assumption that the pandemic would ease by 31 March 2021 and that an update would be provided as a part of ongoing 20/21 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 reserve to replenish the source of funding for these initial revenue reductions.

ITEM 5 (continued)

Revenue Item	COVID-19 related adjustment*	March 2021 Update
RALC Income	\$2.76M reduction	A \$1 million budget increase has been included in this quarterly review to reflect the additional income received and transferred back to reserve. Activity at the RALC is returning to pre COVID-19 levels.
Parking Control Income	\$2.50M reduction	A \$100K budget increase has been made in this quarterly review to reflect this revised projection. Activity is steadily returning to pre COVID-19 levels but may take another 12 months until pre COVID-19 levels are achieved.
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. No further action required.
Investment Income	\$0.45M reduction	It is projected that the Investment income will meet the COVID-19 impacted budget for the 2020/21 financial year. No further action required.
Parks and Sportsfields Income	\$0.32M reduction	A \$370K budget adjustment increase has been included in this quarterly review to reflect this revised projection. Parks and Sportsfields activities have returned to pre COVID-19 levels.
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. No further action required.

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

ITEM 5 (continued)

Financial Implications

As a result of the 2021 March Quarterly Review, Council's available Working Capital is projected to be maintained at \$4.50 million as at 30 June 2021.

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

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 March 2021, having regard to the original estimates of income and expenditure.

Year to date variations in income, operating and capital expenditure have not resulted in any change to projected end of year 2020/21 financial results.

Pav Kuzmanovski

Chief Financial Officer
Responsible Accounting Officer

6 May 2021

**6 LOCAL GOVERNMENT REMUNERATION TRIBUNAL DETERMINATION -
Councillors and Mayoral fees for 2021/2022**

Report prepared by: Civic Services Manager
File No.: CLR/07/8/24 - BP21/400

REPORT SUMMARY

This report is presented to Council to advise of the recent determination made by the Local Government Remuneration Tribunal with respect to Councillor and Mayoral fees.

As part of the 2020 review, the Tribunal undertook an extensive review of the categories and allocation of Councils and determined that City of Ryde be recategorised from a “Metropolitan Medium” to a “Metropolitan Large” Council.

In determining the Councillor and Mayoral fee increase for 2021, the Tribunal did not undertake a broad review of the categorisation of Councils and considered only those requests where an individual submission was made. The Tribunal found that the current allocation of Councils into the current categories was appropriate. Therefore the Tribunal has determined that the City of Ryde remain in the “Metropolitan Large” category.

This report recommends that Council endorse the maximum Councillor and Mayoral fees and confirms that there are sufficient funds in the 2021-2022 Budget for this increase.

RECOMMENDATION:

That Council adopt the following increases to Councillor and Mayoral fees effective from 1 July 2021:-

- (a) 2% increase to Councillor fees from \$30,410 to \$31,020 per annum.
- (b) 2% increase to Mayoral fees from \$88,600 to \$90,370 per annum; in addition to the Councillor fees.

ATTACHMENTS

- 1** Local Government Remuneration Tribunal - Annual Report and Determination - 23 April 2021

Report Prepared By:

Amanda Janvrin
Civic Services Manager

Report Approved By:

Mark Eady
Director - Corporate Services

ITEM 6 (continued)

Context

Section 239 of the Local Government Act 1993 (the Act) provides for the Local Government Remuneration Tribunal to determine the categories of Councils and to place each Council into one of those categories. The categories are to be determined at least once every three (3) years.

Section 241 of the Local Government Act 1993 (the Act) provides for the Local Government Remuneration Tribunal to determine, not later than 1 May in each year, for each of the categories determined under Section 239, the maximum and minimum amount of fees to be paid to Councillors and Mayors.

At its meeting on 8 December 2020, Council resolved to adopt the maximum fees payable to Councillors and the Mayor for the period of 2020/2021 (effective from 1 July 2020).

Discussion

Categorisation of Councils

The “*Annual Report and Determination of the Local Government Remuneration Tribunal*” dated 23 April 2021 is provided for in **ATTACHMENT 1**.

The Tribunal did not undertake a broad review of the categorisation of Councils and considered only those requests where an individual submission was made. The Tribunal found that the current allocation of Councils into the current categories was appropriate. Therefore, the Tribunal has determined that the City of Ryde will remain in the “Metropolitan Large” category.

Review of Mayoral and Councillors Fees

The Tribunal has determined a 2% increase in the minimum and maximum fees applicable to each category. A summary of the matters the Tribunal considered when making this determination is outlined below:-

- Submissions that addressed fees sought an increase of 2.5% or greater. These submissions raised similar issues to warrant an increase which included the significant workload, responsibilities, capabilities, duties and expanding nature of Mayor and Councillor roles. Some submissions also suggested that an increase in remuneration may assist in improving the diversity of potential candidates.
- The 2021-22 rate peg for NSW Councils was set at 2% by the Independent Pricing and Regulatory Tribunal (IPART). The rate peg is the maximum percentage amount by which a Council may increase its general income for the year.

ITEM 6 (continued)

- Employees under the *Local Government (State) Award 2020* will receive a 2% increase in rates of pay from the first full pay period to commence on or after 1 July 2021.
- Section 242A of the Local Government Act provides that when determining the fees payable in each of the categories, the Tribunal is required to give effect to the same policies on increases in remuneration as the Industrial Relations Commission is required to give effect to under Section 146C of the *Industrial Relations Act 1996* (IR Act), when making or varying awards or orders relating to the conditions of employment of public sector employees.
- The current government policy on wages pursuant to Section 146C(1)(a) of the IR Act is articulated in the *Industrial Relations (Public Sector Conditions of Employment) Regulation 2014* (IR Regulation 2014). The IR Regulation provides that public sector wages cannot increase by more than 2.5%. As such, the Tribunal has discretion to determine an increase of up to 2.5%.
- On 31 March 2021, Premiers Memorandum M2021-09 issued the *NSW Public Sector Wages Policy 2021* reflecting the Government's decision to provide annual wage increases of up to 1.5%. The IR Regulation has not been amended to reflect this position.

The table below provides a summary of the minimum and maximum fees determined by the Tribunal.

Tribunal Fee Range for 2021/22

	Minimum Fee Determined by the Tribunal	Maximum Fee Determined by the Tribunal	CoR 2020/21 Current Annual Fee
Councillor fee (per annum)	\$18,800	\$31,020	\$30,410
Mayoral additional fee * (per annum)	\$39,940	\$90,370	\$88,600

* Note: The Mayor receives a Mayoral fee in addition to the Councillor fee.

In previous years, Council has resolved to endorse the maximum fees payable to Councillors and the Mayor.

Based on the table above, the total annual cost of paying the maximum Councillor and Mayoral fees will be \$462,610. There is provision for this amount in the 2021/22 Budget.

Critical Dates

The new fees are payable as from 1 July 2021.

ITEM 6 (continued)**Financial Impact**

There is provision in the 2021/22 Budget to fund the recommended fees and therefore endorsing the recommendation will have no impact on Council's budget.

Policy Implications

Under Sections 239 and 241 of the Local Government Act 1993, the Local Government Remuneration Tribunal determines the category of each Council and the fee range for Councillors and the Mayor. Within that range, Council then determines the fee which will be paid.

Other Options

The following options are available:-

1. That Council adopt a no fee increase to the Councillors fees and Mayoral fee.
2. That Council adopt a partial fee increase to the Councillors fees and Mayoral fee.
3. That Council adopt a fee reduction to the Councillors and Mayoral fees.
4. That Council adopt the full fee increase to the Councillors fees and Mayoral fee.

Based on Council's previous resolution on this matter, this report recommends that Council endorse the maximum Councillor and Mayoral fees, noting that there are sufficient funds in the 2021/22 Budget.

ITEM 6 (continued)

ATTACHMENT 1

**Local
Government
Remuneration
Tribunal**

Annual Report and
Determination

*Annual report and determination under sections
239 and 241 of the Local Government Act 1993*

**23 April
2021**

[NSW Remuneration Tribunals website](#)

ITEM 6 (continued)

ATTACHMENT 1

Local Government Remuneration Tribunal

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ITEM 6 (continued)

ATTACHMENT 1

Local Government Remuneration Tribunal

Executive Summary

The *Local Government Act 1993* (the LG Act) requires the Local Government Remuneration Tribunal (the Tribunal) to report to the Minister for Local Government by 1 May each year on its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

Categories

The Tribunal found the allocation of councils into the current categories appropriate. Criteria for each category is published in Appendix 1. These categories have not changed further to the extensive review undertaken as part of the 2020 review.

Fees

The Tribunal determined a 2 per cent increase in the minimum and maximum fees applicable to each category.

ITEM 6 (continued)

ATTACHMENT 1

Local Government Remuneration Tribunal

Section 1 Introduction

1. Section 239 of the LG Act provides that the Tribunal determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories.
2. Section 241 of the LG Act provides that the Tribunal determine the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils for each of the categories determined under section 239.
3. Section 242A (1) of the LG Act, requires the Tribunal to give effect to the same policies on increases in remuneration as those of the Industrial Relations Commission.
4. However, the Tribunal can determine that a council be placed in another existing or a new category with a higher range of fees without breaching the Government's wage policy as per section 242A (3) of the LG Act.
5. The Tribunal's determinations take effect from 1 July in each year.

Section 2 2020 Determination

6. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years.
7. The Tribunal undertook an extensive review of the categories and allocation of councils into each of those categories as part of the 2020 review.
8. Like the review undertaken in 2017, the Tribunal examined a range of statistical and demographic data and considered the submissions of councils, Local Government NSW (LGNSW) and Regional Cities NSW.
9. The Tribunal determined to retain a categorisation model which differentiates councils primarily based on their geographic location and the other factors including population, the sphere of the council's economic influence and the degree of regional servicing.
10. The categories of general purpose councils were determined as follows:

Metropolitan	Non-Metropolitan
<ul style="list-style-type: none"> • Principal CBD • Major CBD • Metropolitan Large • Metropolitan Medium • Metropolitan Small 	<ul style="list-style-type: none"> • Major Regional City • Major Strategic Area • Regional Strategic Area • Regional Centre • Regional Rural • Rural

11. Given the impact of the bushfires and the COVID-19 pandemic on the state and federal economies and wellbeing of communities, the Tribunal determined no increase in the minimum and maximum fees applicable to each existing category.
12. The Determination was made on 10 June 2020 in accordance with the Local Government (General) Amendment (COVID-19) Regulation 2020 which extended the

ITEM 6 (continued)

ATTACHMENT 1

Local Government Remuneration Tribunal

time for making of the determination to no later than 1 July 2020.

13. On 10 August 2020 the Tribunal received a direction from the Minister for Local Government, the Hon Shelley Hancock MP, to review the categorisation of Bayside Council. The Tribunal found that Bayside met the criteria to be classified as Metropolitan Large – having both a resident and non-resident working population (minimum 50,000) exceeding 200,000.
14. The Tribunal's 2020 determination was amended by the special determination on 17 August 2020 for Bayside Council be re-categorised as Metropolitan Large for remuneration purposes with effect from 1 July 2020.

Section 3 2021 Review

2021 Process

15. The Tribunal wrote to all mayors or general managers and LGNSW in February 2021 to advise of the commencement of the 2021 review and invite submissions. This correspondence advised that the Tribunal completed an extensive review of categories in 2020 and as this is only required every three years, consideration would be next be given in 2023. Submissions received requesting to be moved into a different category as part of the 2021 review would only be considered were there was a strong, evidence-based case.
16. Eighteen submissions were received – seventeen from individual councils and a submission from LGNSW. It was not possible from some submissions to ascertain if they had been council endorsed. The Tribunal also met with the President and Chief Executive of LGNSW.
17. The Tribunal discussed the submissions at length with the assessors.
18. The Tribunal acknowledged difficulties imposed by COVID19 and, on some councils the bushfires and floods.
19. Submissions from councils in regional and remote locations that raised the unique challenges experienced by mayors and councillors which included difficulties with connectivity and the travel required in sometimes very difficult circumstances were also acknowledged.
20. A summary of the matters raised in the received submissions and the Tribunal's consideration of those matters is outlined below.

Categorisation

21. Nine council submissions requested recategorisation. Four of these requests sought the creation new categories.
22. The Tribunal found that the current categories and allocation of councils to these categories remained appropriate. The Tribunal's finding had regard to the 2020 review, the current category model and criteria and the evidence put forward in the received submissions.
23. A summary of the individual council submissions that sought recategorisation is below.

Metropolitan Large Councils

24. Blacktown City Council requested the creation of a new category of Metropolitan Large – Growth Area.
25. Penrith City Council requested the creation of a new category Metropolitan Large –

ITEM 6 (continued)

ATTACHMENT 1

Local Government Remuneration Tribunal

Growth Centre.

26. Liverpool City Council requested recategorisation to Major CBD.

27. The Tribunal noted that an extensive review of the current category model was completed in 2020 and would be next considered in 2023. The Tribunal noted that the criteria required for recategorisation was not yet met and that current council allocations remained appropriate.

Metropolitan Small Councils

28. The City of Canada Bay sought recategorisation to Metropolitan Medium. The Tribunal noted that the criteria required for recategorisation was not yet met.

Major Regional City Councils

29. The City of Newcastle requested review and creation of a new category of "Gateway City" with comparable characteristics to the Major CBD category and a similar fee structure. The Tribunal noted that an extensive review of the current category model was completed in 2020 and would be next considered in 2023.

Regional Centre

30. Tweed Shire Council requested recategorisation to Regional Strategic Area. The Tribunal noted that the criteria required for recategorisation was not yet met.

Rural Councils

31. Federation Council requested recategorisation into a new category of Regional.

32. Narromine Shire Council sought recategorisation but did not specify a category for consideration.

33. Yass Valley Council sought recategorisation to Regional Rural.

34. The Tribunal noted that an extensive review of the current category model was completed in 2020 and would be next considered in 2023. The Tribunal noted that the criteria required for recategorisation was not yet met and that current council allocations remained appropriate.

Fees

35. The Tribunal determined a 2.0 per centage increase in the minimum and maximum fees applicable to each category. A summary of the matters the Tribunal considered when making this determination is outlined below.

36. Submissions that addressed fees sought an increase of 2.5 per cent or greater. These submissions raised similar issues to warrant an increase which included the significant workload, responsibilities, capabilities, duties and expanding nature of mayor and councillor roles. Some submissions also suggested that an increase in remuneration may assist in improving the diversity of potential candidates.

37. The 2021-22 rate peg for NSW Councils was set at 2.0 per cent by the Independent Pricing and Regulatory Tribunal (IPART). The rate peg is the maximum percentage amount by which a council may increase its general income for the year.

38. Employees under the *Local Government (State) Award 2020* will receive a 2.0 per cent increase in rates of pay from the first full pay period to commence on or after 1 July 2021.

39. Section 242A of the LG Act provides that when determining the fees payable in each of the categories, the Tribunal is required to give effect to the same policies on increases in remuneration as the Industrial Relations Commission is required to give effect to under section 146C of the *Industrial Relations Act 1996* (IR Act), when making or

ITEM 6 (continued)

ATTACHMENT 1

Local Government Remuneration Tribunal

varying awards or orders relating to the conditions of employment of public sector employees.

40. The current government policy on wages pursuant to section 146C(1)(a) of the IR Act is articulated in the *Industrial Relations (Public Sector Conditions of Employment) Regulation 2014* (IR Regulation 2014). The IR Regulation provides that public sector wages cannot increase by more than 2.5 per cent. As such, the Tribunal has discretion to determine an increase of up to 2.5 per cent.
41. On 31 March 2021, Premiers Memorandum M2021-09 issued the *NSW Public Sector Wages Policy 2021* reflecting the Government's decision to provide annual wage increases of up to 1.5 per cent. The IR Regulation has not been amended to reflect this position.

Conclusion

42. The Tribunal's determinations have been made with the assistance of Assessors Ms Kylie Yates and Mr Tim Hurst.
43. It is the expectation of the Tribunal that in the future all submissions have council endorsement.
44. Determination 1 outlines the allocation of councils into each of the categories as per section 239 of the LG Act.
45. Determination 2 outlines the maximum and minimum fees paid to councillors and mayors and members and chairpersons of county councils as per section 241 of the LG Act.



Viv May PSM

Local Government Remuneration Tribunal

Dated: 23 April 2021

ITEM 6 (continued)

ATTACHMENT 1

Local Government Remuneration Tribunal

Section 4 2021 Determinations

Determination No. 1 - Allocation of councils into each of the categories as per section 239 of the LG Act effective from 1 July 2021

Table 1: General Purpose Councils - Metropolitan

Principal CBD (1)	Major CBD (1)
Sydney	Parramatta
Metropolitan Large (12)	Metropolitan Medium (8)
Bayside	Campbelltown
Blacktown	Camden
Canterbury-Bankstown	Georges River
Cumberland	Hornsby
Fairfield	Ku-ring-gai
Inner West	North Sydney
Liverpool	Randwick
Northern Beaches	Willoughby
Penrith	
Ryde	
Sutherland	
The Hills	
Metropolitan Small (8)	
Burwood	
Canada Bay	
Hunters Hill	
Lane Cove	
Mosman	
Strathfield	
Waverley	
Woollahra	

ITEM 6 (continued)

ATTACHMENT 1

Local Government Remuneration Tribunal

Table 2: General Purpose Councils - Non-Metropolitan

Major Regional City (2)	Major Strategic Area (1)	Regional Strategic Area (1)
Newcastle	Central Coast	Lake Macquarie
Wollongong		

Regional Centre (24)		Regional Rural (13)
Albury	Mid-Coast	Bega
Armidale	Orange	Broken Hill
Ballina	Port Macquarie-Hastings	Byron
Bathurst	Port Stephens	Eurobodalla
Blue Mountains	Queanbeyan-Palerang	Goulburn Mulwaree
Cessnock	Shellharbour	Griffith
Clarence Valley	Shoalhaven	Kempsey
Coffs Harbour	Tamworth	Kiama
Dubbo	Tweed	Lithgow
Hawkesbury	Wagga Wagga	Mid-Western
Lismore	Wingecarribee	Richmond Valley Council
Maitland	Wollondilly	Singleton
		Snowy Monaro

Rural (57)			
Balranald	Cootamundra-Gundagai	Junee	Oberon
Bellingen	Cowra	Kyogle	Parkes
Berrigan	Dungog	Lachlan	Snowy Valleys
Bland	Edward River	Leeton	Temora
Blayney	Federation	Liverpool Plains	Tenterfield
Bogan	Forbes	Lockhart	Upper Hunter
Bourke	Gilgandra	Moree Plains	Upper Lachlan
Brewarrina	Glen Innes Severn	Murray River	Uralla
Cabonne	Greater Hume	Murrumbidgee	Walcha
Carrathool	Gunnedah	Muswellbrook	Walgett
Central Darling	Gwydir	Nambucca	Warren
Cobar	Hay	Narrabri	Warrumbungle
Coolamon	Hilltops	Narrandera	Weddin
Coonamble	Inverell	Narromine	Wentworth

ITEM 6 (continued)

ATTACHMENT 1

Local Government Remuneration Tribunal

Rural (57)
Yass

Table 3: County Councils

Water (4)	Other (6)
Central Tablelands	Castlereagh-Macquarie
Goldenfields Water	Central Murray
Riverina Water	Hawkesbury River
Rous	New England Tablelands
	Upper Hunter
	Upper Macquarie



Viv May PSM

Local Government Remuneration Tribunal

Dated: 23 April 2021

ITEM 6 (continued)

ATTACHMENT 1

Local Government Remuneration Tribunal

Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2021

The annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2021 as per section 241 of the *Local Government Act 1993* are determined as follows:

Table 4: Fees for General Purpose and County Councils

Category		Councillor/Member Annual Fee (\$) effective 1 July 2021		Mayor/Chairperson Additional Fee* (\$) effective 1 July 2021	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	28,190	41,340	172,480	226,960
	Major CBD	18,800	34,820	39,940	112,520
	Metropolitan Large	18,800	31,020	39,940	90,370
	Metropolitan Medium	14,100	26,310	29,950	69,900
	Metropolitan Small	9,370	20,690	19,970	45,110
General Purpose Councils - Non-Metropolitan	Major Regional City	18,800	32,680	39,940	101,800
	Major Strategic Area	18,800	32,680	39,940	101,800
	Regional Strategic Area	18,800	31,020	39,940	90,370
	Regional Centre	14,100	24,810	29,330	61,280
	Regional Rural	9,370	20,690	19,970	45,140
	Rural	9,370	12,400	9,980	27,060
County Councils	Water	1,860	10,340	4,000	16,990
	Other	1,860	6,180	4,000	11,280

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).



Viv May PSM

Local Government Remuneration Tribunal

Dated: 23 April 2021

ITEM 6 (continued)

ATTACHMENT 1

Local Government Remuneration Tribunal

Appendices

Appendix 1 Criteria that apply to categories

Principal CBD

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

Major CBD

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety have been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

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ATTACHMENT 1

Local Government Remuneration Tribunal

Metropolitan Large

Councils categorised as Metropolitan Large will typically have a minimum residential population of 200,000.

Councils may also be categorised as Metropolitan Large if their residential population combined with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$200M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

Metropolitan Medium

Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000.

Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000

Other features may include:

- total operating revenue exceeding \$100M per annum
- services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- industrial, commercial and residential centres and development corridors
- high population growth.

The sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Large councils.

ITEM 6 (continued)

ATTACHMENT 1

Local Government Remuneration Tribunal

Metropolitan Small

Councils categorised as Metropolitan Small will typically have a residential population less than 100,000.

Other features which distinguish them from other metropolitan councils include:

- total operating revenue less than \$150M per annum.

While these councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.

Major Regional City

Newcastle City Council and Wollongong City Councils are categorised as Major Regional City. These councils:

- are metropolitan in nature with major residential, commercial and industrial areas
- typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development
- provide a full range of higher order services and activities along with arts, culture, recreation, sporting and entertainment facilities to service the wider community and broader region
- have significant transport and freight infrastructure servicing international markets, the capital city and regional areas
- have significant natural and man-made assets to support diverse economic activity, trade and future investment
- typically contain ventures which have a broader State and national focus which impact upon the operations of the council.

Major Strategic Area

Councils categorised as Major Strategic Area will have a minimum population of 300,000.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Central Coast Council meets the criteria to be categorised as a Major Strategic Area. Its population, predicted population growth, and scale of the Council's operations warrant that it be differentiated from other non-metropolitan councils. Central Coast Council is also a

ITEM 6 (continued)

ATTACHMENT 1

Local Government Remuneration Tribunal

significant contributor to the regional economy associated with proximity to and connections with Sydney and the Hunter Region.

Regional Strategic Area

Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Centre category on the basis of their significant population and will typically have a residential population above 200,000.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Lake Macquarie Council meets the criteria to be categorised as a Regional Strategic Area. Its population and overall scale of council operations will be greater than Regional Centre councils.

Regional Centre

Councils categorised as Regional Centre will typically have a minimum residential population of 40,000.

Other features may include:

- a large city or town providing a significant proportion of the region's housing and employment
- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$100M per annum
- the highest rates of population growth in regional NSW
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Councils in the category of Regional Centre are often considered the geographic centre of the region providing services to their immediate and wider catchment communities.

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Local Government Remuneration Tribunal

Regional Rural

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000.

Other features may include:

- a large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages
- health services, tertiary education services and regional airports which service a regional community
- a broad range of industries including agricultural, educational, health, professional, government and retail services
- large visitor numbers to established tourism ventures and events.

Councils in the category of Regional Rural provide a degree of regional servicing below that of a Regional Centre.

Rural

Councils categorised as Rural will typically have a residential population less than 20,000.

Other features may include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.

County Councils - Water

County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

County Councils - Other

County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the *Biosecurity Act 2015*.

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

Report prepared by: Manager - Development Assessment
File No.: GRP/21/9 - BP21/332

REPORT SUMMARY

To ensure transparency and integrity within the planning framework, the Department of Planning, Industry 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 Ryde Local Environmental Plan 2014.

This report details Development Applications approved in the period of 1 January to 31 March 2021 with a Clause 4.6 variation.

DA number	Address	Description of Proposal	Extent of variation & standard varied	Justification of variation	Delegation & Date of Determination
LDA2020/0252	259 Pittwater Road, North Ryde	New two storey dwelling.	9% (54m ²) variation to Clause 4.4 Floor space ratio	The proposed development is adjoined on either side by buildings of similar scale and floor space. The three sites (i.e. 257, 259 and 261 Pittwater Road) are separated from the residential development by Boobajool Reserve to the south, North Ryde RSL to the north and Martin Reserve to the west. As such, the residential streetscape along this section of Pittwater Road is established by the other two dwellings built on either side of the subject site. The proposal is consistent with the scale of these dwellings, and a reduction in the floor space will not result in a development that is more compatible with the established streetscape. Strict compliance with the development standard is therefore unreasonable and unnecessary.	Council Officers Delegated Authority 2/02/2021

ITEM 7 (continued)

LDA2020/0401	37 Betty Hendry Parade, North Ryde	New two storey dual occupancy (attached) and strata subdivision.	0.12% (0.7m ²) variation to Clause 4.1 Minimum subdivision lot size	The minor non-compliance of 0.7m ² in this instance is appropriate to support. It has been demonstrated that the proposal and its lot size breach is still consistent with the objectives of the subject zone as well as Clauses 4.1a, 4.1b and 4.6 of the Ryde LEP 2014. The built form is appropriate and relates well to surrounding development. The non-compliant lot area does not result in any unreasonable visual impacts. The amenity of neighbours is not unreasonably impacted, and the proposal would not compromise the character or nature of the area sought by the local environmental planning framework.	Council Officers Delegated Authority 15/03/2021
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RECOMMENDATION:

That the report on the Clause 4.6 variations 1 January to 31 March 2021 be received and noted.

ATTACHMENTS

- 1 Circular - Clause 4.6 - May 2020

Report Prepared By:

Sandra Bailey
Manager - Development Assessment

Report Approved By:

Liz Coad
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.

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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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CONFIDENTIAL ITEMS

8 REQUEST FOR TENDER - COR-RFT-14/20 ROWE STREET EAST CAR PARK OPERATOR

Report prepared by: Team Leader - Business Administration

Report approved by: Manager - Community and Ranger Services; Director - Customer and Community Services

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: (a) personnel matters concerning particular individuals (other than councillors); AND (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: GRP/21/11 - BP21/239

Page Number: 78

9 REQUEST FOR TENDER - COR-RFT-06/20 CLEANING SERVICES FOR COUNCIL BUILDINGS

Report prepared by: Manager - Operations

Report approved by: 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: GRP/21/7 - BP21/339

Page Number: 105

CONFIDENTIAL ITEMS (CONTINUED)

10 REQUEST FOR TENDER - COR-RFT-2/21 KISSING POINT PARK BOAT RAMP UPGRADE

Report prepared by: Project Manager - Civil

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: PCM2021/5/4 - BP21/374

Page Number: 136

11 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 - BP21/396

Page Number: 167