

**Meeting Date:** Tuesday 23 May 2023

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

**Time:** 6.00pm

**Councillors Present in Chambers:** The Mayor, Councillor Yedelian OAM and Councillors Brown, Deshpande, Han, Li, Maggio, Pedersen and Purcell.

**Councillors Present via online Audio Visual:** Councillors Lane, Lara-Watson, O'Reilly and Song.

Note: Councillor Lane arrived at the meeting at 6.22pm during discussion on Matter of Urgency 1.

Note: Councillor Maggio left the meeting at 8.54pm and did not return. He was not present for voting on Item 11 and Item 12.

**Apologies:** Nil.

**Staff Present:** Chief Executive Officer, Acting General Manager – Business and Operations, General Manager – City Shaping, General Counsel, Acting Chief Financial Officer, Executive Manager – City Development, Executive Manager – City Infrastructure, Executive Manager – City Life, Executive Manager – People and Business, Executive Officer – City Places, Executive Officer – City Spaces, Manager – Business Assurance and Governance, Manager – Community Services, Manager – Engineering and Project Delivery, Manager – Traffic Services, Manager – Property Management, Manager – Circular Economy, Eastwood Central Commercial Manager, Environmental Engineer Waste, Media and Communications Officer, IT Applications Support Officer, Civic Services Manager and Civic Support Officer.

## **PRAYER**

Greigory Whittaker of the Salvation Army was present and offered prayer prior to the commencement of the meeting.

## **NATIONAL ANTHEM**

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

## **DISCLOSURES OF INTEREST**

There were no disclosures of interest.

## **TABLING OF PETITIONS**

No Petitions were tabled.

## **STATEMENT BY CHIEF EXECUTIVE OFFICER**

The Chief Executive Officer, Wayne Rylands addressed the meeting, the time being 6.06pm.

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

The following persons provided a written submission to Council:-

<b>Name</b>	<b>Topic</b>
David Hall	<b>Notice of Motion 1</b> – Environmental sediment problem around Morrison Bay
Andrew & Jackie Foristal	<b>Notice of Motion 1</b> – Environmental sediment problem around Morrison Bay
Alison Small	<b>Notice of Motion 1</b> – Environmental sediment problem around Morrison Bay
Sonja & David Heyworth	<b>Notice of Motion 1</b> – Environmental sediment problem around Morrison Bay
Tom Krapeshlis	<b>Notice of Motion 1</b> – Environmental sediment problem around Morrison Bay
David Galvin	<b>Notice of Motion 1</b> – Environmental sediment problem around Morrison Bay
Giovaninno Navarra	<b>Notice of Motion 1</b> – Environmental sediment problem around Morrison Bay
Lachlan Heyworth	<b>Notice of Motion 1</b> – Environmental sediment problem around Morrison Bay
Liz Parsons	<b>Notice of Motion 1</b> – Environmental sediment problem around Morrison Bay
James Balestriere	<b>Notice of Motion 1</b> – Environmental sediment problem around Morrison Bay
Fonda Argyrakakls	<b>Notice of Motion 1</b> – Environmental sediment problem around Morrison Bay
Amber & Nathan Sawyers	<b>Notice of Motion 1</b> – Environmental sediment problem around Morrison Bay
George Rofail	<b>Notice of Motion 1</b> – Environmental sediment problem around Morrison Bay
Ari Ozbenian	<b>Notice of Motion 1</b> – Environmental sediment problem around Morrison Bay
Serge Laureti	<b>Notice of Motion 1</b> – Environmental sediment problem around Morrison Bay
David Low	<b>Notice of Motion 1</b> – Environmental sediment problem around Morrison Bay

<b>Name</b>	<b>Topic</b>
Tony & Kylie Gillies	<b>Notice of Motion 1</b> – Environmental sediment problem around Morrison Bay
Frances Breen (representing the Ryde Hunters Hill Flora & Fauna Preservation Society Inc)	<b>Notice of Motion 6</b> – Report on risks to environment, public health, amenity and the Western Harbour Tunnel and Warringah Freeway upgrade support site

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

No written submissions were received.

### **MATTER OF URGENCY 1**

Councillor Maggio advised the meeting that he wished to raise a Matter of Urgency regarding the cancellation of the Cork and Fork Festival, the time being 6.14pm.

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

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

That Council consider a Matter of Urgency raised by Councillor Maggio, regarding the cancellation of the Cork and Fork Festival.

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

For the Motion: Unanimous

### **MATTER OF URGENCY 1 – CANCELLATION OF CORK AND FORK FESTIVAL**

Note: Councillor Lane arrived at the meeting at 6.22pm during discussion on this Item.

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

In light of Sundays unforeseen late cancellation of the Cork and Fork event which is a highly successful and much loved event in the City of Ryde:-

- (a) That Council restage this year's Cork and Fork event at an appropriate time later in 2023 and announce the future date as soon as possible.
- (b) That Council publish an apology to all ratepayers, stall holders, artists and sponsors across all media channels, with details of the rescheduled date.
- (c) That the Mayor write to all stall holders, sponsors and artists apologising and inviting them to attend to the rescheduled date.

- (d) That staff report back on options for any stallholders and food trucks that are unable to attend the rescheduled date, for example refunding permit fees and/or attend free of charge at the 2024 Cork and Fork.
- (e) That staff report back on options of compensation for all affected stall holders, food trucks, artists and sponsors including those unable to attend the rescheduled date.
- (f) That consultation be undertaken with all residents on the future location for the Cork and Fork events from 2024 onwards, including but not limited to the suitability of Morrison Bay Park, Putney Park and dedicated, event-day utilisation of Pellisier Road and Frances Road in Putney.
- (g) That staff report to Councillors within five (5) days by an email including all details on the precise reasons for cancellation of the event on 21 May 2023 including those who made the decision and who was consulted.
- (h) That additional funds for the rescheduled event be allocated in the 23/24 budget.

**Record of Voting:**

For the Motion: Unanimous

**MATTER OF URGENCY 2**

Councillor Purcell advised the meeting that he wished to raise a Matter of Urgency regarding project overruns and lack of project updates in Ryde, the time being 6.41pm.

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

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

That Council consider a Matter of Urgency raised by Councillor Purcell, regarding project overruns and lack of project updates in Ryde.

**Record of Voting:**

For the Motion: Unanimous

**MATTER OF URGENCY 2 – PROJECT OVERRUNS AND LACK OF PROJECT UPDATES IN RYDE**

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

As Councillors know all too well, project overruns and lack of project updates are the source of great annoyance to the residents of Ryde.

Recently, two significant projects in Meadowbank have been the cause for much concern and resident disquiet – being the Constitution Road footpath access between Bowden and See Streets and the storm water works where Hedgeland Close meets Rothesay Avenue.

This is a source of reputational damage for the City of Ryde and its Councillors.

As it stands, it is up to Councillors to make a desk help request for information and then disseminate that information.

Matter of Urgency:

- (a) That the City of Ryde, through the direction of the Chief Executive Officer, in the first instance, identify all significant capital works projects (over \$1 million or overdue projects) throughout the City of Ryde including start and estimated finish dates.
- (b) That the City of Ryde, through the direction of the Chief Executive Officer, regularly updates significant projects in a bimonthly capital works report – to go to Councillors in the CIB or similar format.
- (c) That the City of Ryde, through the direction of the Chief Executive Officer, investigates options for an online version of these capital works updates for residents to access easily.

**Record of Voting:**

For the Motion: Unanimous

## **COUNCIL REPORTS**

### **1 ITEMS PUT WITHOUT DEBATE**

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

That Council adopt Mayoral Minute 9/23, Item 2, Item 4, Item 5, Item 7, Item 8, Item 9, Notice of Motion 4, Notice of Motion 5 and Notice of Motion 8 listed on the Council Agenda as per the Recommendations in the reports.

**Record of Voting:**

For the Motion: Unanimous

## **MAYORAL MINUTE**

### **MM9/23 WASTE SUMMIT AND FOLLOW UP INFORMATION – Mayor, Councillor Sarkis Yedelian OAM**

#### **RESOLUTION:**

- (a) That Council work with other Sydney Councils on:
- i. Reducing waste
  - ii. Improving environmental outcomes where waste has to be processed and
  - iii. Finding solutions for the residue that is left
- (b) That Council ask the NSW Government to invest the revenue from its waste levy for council and industry initiatives that:
- i. Accelerate the transition to a circular economy
  - ii. Build the waste infrastructure needed to meet the growing pressures of population growth, loss of landfill capacity and a lack of competition in the sector
  - iii. Educate and support communities to reduce waste

## **COUNCIL REPORTS**

### **2 CONFIRMATION OF MINUTES – Council Meeting held on 26 April 2023**

#### **RESOLUTION:**

That the Minutes of the Council Meeting 4/23, held on 26 April 2023 be confirmed.

### **4 LOCAL HERITAGE ASSISTANCE FUND ROUND 3 – PROPOSED GRANTS APPLICATIONS**

#### **RESOLUTION:**

- (a) That the five (5) applications to Round 3 of the Local Heritage Assistance Fund be supported and receive funding assistance pursuant to Section 356 of the Local Government Act, 1993, being:
- 44 Simla Road, Denistone, \$15,000.00
  - 23 Bellevue Avenue, Denistone, \$13,600.00
  - 57 Meriton Street, Gladesville, \$13,915.90
  - 39a Anthony Street, Denistone, \$9,000.00
  - 7 Regent Street, Putney, \$14,270

- (b) That Council allocate the amount of \$65,785.90 from the Heritage Grants Reserve for the purpose of (a) above and that it be reflected in the next Quarterly Budget Adjustment.
- (c) That the successful and unsuccessful applicants to Round 3 of the Local Heritage Assistance Fund be advised in writing of the outcomes of their applications.

**5 REZONE LAND AT 2 THISTLE STREET, RYDE FROM SP2 INFRASTRUCTURE (EDUCATIONAL ESTABLISHMENT) TO RE1 PUBLIC RECREATION**

**RESOLUTION:**

- (a) That Council endorse planning proposal, attached to this report (**ATTACHMENT 1**), to rezone the land, being Lot 1 DP120850, Lot 1 DP437180 & Lot 1 DP135062, at 2 Thistle Street, Ryde, from SP2 Infrastructure (Educational Establishment) to RE1 Public Recreation, including a Schedule 1 additional use on Lot 1 DP437180 for a “Centre Based Child Care Centre”, for submission to the Department of Planning and Environment for Gateway Determination under 3.34 of the Environmental Planning and Assessment Act 1979.
- (b) That the Department of Planning and Environment be advised that Council wishes to be delegated as the Local Plan-Making Authority.
- (c) That following public exhibition, the planning proposal and any submissions received be reported back to Council to finalise the proposal.

**7 RYDE SWIMMING ACADEMY – CSIRO SPORTS FACILITY AT NORTH RYDE**

**RESOLUTION:**

That the information contained within this report be noted.

**8 EXCEPTING PROCUREMENT FROM LOCAL GOVERNMENT ACT 1993 S.55 REQUIREMENTS FOR TENDERING – BOOKABLE FACILITIES BOOKINGS SOFTWARE**

**RESOLUTION:**

That, pursuant to Section 55(3)(i) of the Local Government Act 1993 and having regard to the information put before it:

- i. Council is satisfied that there are extenuating circumstances and that inviting tenders will not achieve a satisfactory result.
- ii. Council does not invite tenders for the procurement of Facilities Booking Software.
- iii. Council authorise the Chief Executive Officer or their representative to enter into extensions of the current contract for the Bookable software for twelve (12) month terms for each of the next three (3) years for a value not exceeding \$210,000 excl. GST and a total contract value not exceeding \$390,000 excl GST.

## **9 EXCEPTING PROCUREMENT FROM THE LOCAL GOVERNMENT ACT 1993 S.55 REQUIREMENTS FOR TENDERING**

### **RESOLUTION:**

That, pursuant to Section 55(3)(i) of the Local Government Act 1993 and having regard to the information put before it:

- i. Council is satisfied that there are extenuating circumstances and that inviting tenders will not achieve a satisfactory result.
- ii. Council does not invite tenders for Consultancy Services related to Ryde Central project.
- iii. Council delegate to the Chief Executive Officer the authority to enter into a contract with Haron Robson Australia Pty Ltd and LCI Consulting for Consultancy Services related to Ryde Central project on terms acceptable to the Chief Executive Officer for a value not exceeding \$60,000.00 excl. GST.

### **NOTICES OF MOTION**

## **4 COST OF LIVING RELIEF – Councillor Sophie Lara-Watson**

### **RESOLUTION:**

- (a) That the City of Ryde Council note all Ryde residents are being impacted by the rising cost of living.
- (b) That City of Ryde staff be instructed to provide a report of current savings opportunities offered by the City of Ryde by life stage:-
  - i. Young people and students
  - ii. Singles
  - iii. Families without Dependents
  - iv. Families with Dependents
  - v. Senior Citizens
  - vi. Small Business



- (c) That these saving opportunities easily accessible (clear links, maximum benefit obtainable, application forms and other relevant information to support the application) on the City of Ryde website and through social channels.
- (d) That City of Ryde staff should investigate opportunities for further savings to be offered for each of these life stages in line with FY23/24 financial year budget process.

**5 PEDESTRIAN CROSSING FOR SEE STREET, MEADOWBANK –  
Councillor Bernard Purcell**

**RESOLUTION:**

- (a) That the City of Ryde investigate the delivery of a formalised pedestrian crossing at the corner of See and Angas Streets, Meadowbank as a matter of urgency.
- (b) That the City of Ryde make immediate requests to the RMS to fast-track this pedestrian crossing.
- (c) That the City of Ryde investigate the funding sources for this pedestrian crossing.

**8 SHRIMPTON CREEK WILDLIFE CORRIDOR, SANTA ROSA PARK –  
Councillor Katie O'Reilly**

**RESOLUTION:**

That the City of Ryde:-

- (a) Acknowledge the importance of Shrimpton's Creek and what it offers wildlife as well as community members. That there is interruption of vegetation and wildlife due to sporting activities and off leash dog activity in Santa Rosa Park causing disruption and damage to the flora and fauna along the banks of the creek.
- (b) Implement signage along the path on the South/East side of the creek stating that the pathway is an "on leash" path area. That these signs be located at either end of the path at Bridge Road and Quarry Road, at both side street access paths at Zola Avenue and Neville Street, as well as at the two informal creek crossings.

- (c) Staff to investigate the opportunity to implement interpretive signage at suitable locations on the paths on both sides of the creek for creating an awareness of the small bird habitat corridor and acknowledging the work of the Habitat Network and their efforts in protecting this natural area. Then report back to Council to include an appropriate funding source.
- (d) Staff to investigate the opportunity for installation of additional water bubblers within the park with features like a dog bowl to reduce the need for dogs to seek water from the creek. The report back to Council to include an appropriate funding source.

## **MAYORAL MINUTES**

### **MM7/23 EMERGENCY SERVICES LEVY - Mayor, Councillor Sarkis Yedelian OAM**

**RESOLUTION:** (Moved by the Mayor, Councillor Yedelian OAM)

That the Mayor write to:-

- (a) The Premier, the Hon. Chris Minns MP, The Treasurer the Hon. Daniel Mookey MLC, The Minister for Local govt the Hon. Ron Hoenig MP and The Minister for Emergency Services the Hon. Jihad Dib MP to:
  - i. Advise how the extra cost of the Emergency Services Levy (ESL) without a government subsidy would affect City of Ryde.
  - ii. Request that the subsidy be restored this year;
  - iii. Request that the Emergency Services Levy, that councils are required to levy be decoupled from the rates, which councils levy;
  - iv. Request that the Government finds a better way to fund the emergency service functions.
- (b) State Member for Ryde, Jordan Lane MP and State Member for Lane Cove, Anthony Roberts MP and ask for their support on behalf of City of Ryde Council.

### **Record of Voting:**

For the Motion: Unanimous

**MM8/23 COUNCIL PROPERTIES - PROVISION OF AFTER HOURS CONTACT DETAILS - Mayor, Councillor Sarkis Yedelian OAM**

**RESOLUTION:** (Moved by the Mayor, Councillor Yedelian OAM and Councillor Maggio)

- (a) That all Council premises including toilet blocks, sporting venues, halls etc have signage installed providing a QR code which details who to contact to report issues such as damage, plumbing issues etc both during working hours and after hours.
- (b) That the QR code provided also identify the Council asset, so that the location of the incident is clear.
- (c) That work to install the signage be completed by the end of September 2023 with a report to be brought to the October Council meeting detailing the action taken and providing advice regarding any outstanding locations still in need of signage.

**Record of Voting:**

For the Motion: Unanimous

**MM9/23 WASTE SUMMIT AND FOLLOW UP INFORMATION - Mayor, Councillor Sarkis Yedelian OAM**

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

**MM10/23 ITALIAN MIGRANTS OF RYDE – BOOK LAUNCH - Mayor, Councillor Sarkis Yedelian OAM**

**RESOLUTION:** (Moved by the Mayor, Councillor Yedelian OAM and Maggio)

- (a) That the information be noted.
- (b) That the Mayor host a morning tea for the organising committee and interested Councillors to thank them for their efforts with the compilation of the book – “A One-Way Ticket: Italian Migrants of Ryde 1860-1960”.
- (c) That the morning tea be costed to the Mayor’s catering budget.

**Record of Voting:**

For the Motion: Unanimous

**MM11/23 WELCOME TO PRIME MINISTER OF INDIA – SHRI NARENDRA MODI  
- Mayor, Councillor Sarkis Yedelian OAM**

**RESOLUTION:** (Moved by the Mayor, Councillor Yedelian OAM)

- (a) That Council note the visit to Sydney by the Prime Minister of India – Shri Narendra Modi
- (b) That a suitable article be prepared for inclusion in the Mayor’s column noting the visit and its importance to the large cohort of Indian residents living in the City of Ryde.

**Record of Voting:**

For the Motion: Unanimous

**COUNCIL REPORTS**

**2 CONFIRMATION OF MINUTES - Council Meeting held on 26 April 2023**

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

**3 MARCH QUARTERLY BUDGET REVIEW AND OPERATIONAL PLAN  
PROGRESS REPORT**

**RESOLUTION:** (Moved by Councillors Lara-Watson and Deshpande)

That the proposed budget variations as detailed in **ATTACHMENT 1** to this report be endorsed by Council.

**Record of Voting:**

For the Motion: Unanimous

**4 LOCAL HERITAGE ASSISTANCE FUND ROUND 3 - PROPOSED GRANTS  
APPLICATIONS**

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

**5 REZONE LAND AT 2 THISTLE STREET, RYDE FROM SP2  
INFRASTRUCTURE (EDUCATIONAL ESTABLISHMENT) TO RE1 PUBLIC  
RECREATION**

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

**6 HIRING OF APPRENTICES AND TRAINEES BY COUNCIL**

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

- (a) That Council notes the current program for trainees and apprentices at the City of Ryde.
- (b) That Council investigates increasing the number of apprentices in the City of Ryde in the next financial year.
- (c) That Council continues to look at ways to promote and engage with local business including Macquarie University to explore opportunities to promote the local government sector.

**Record of Voting:**

For the Motion: Unanimous

**7 RYDE SWIMMING ACADEMY - CSIRO SPORTS FACILITY AT NORTH RYDE**

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

**8 EXCEPTING PROCUREMENT FROM LOCAL GOVERNMENT ACT 1993 S.55 REQUIREMENTS FOR TENDERING - BOOKABLE FACILITIES BOOKINGS SOFTWARE**

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

**9 EXCEPTING A PROCUREMENT FROM THE LOCAL GOVERNMENT ACT 1993 S.55 REQUIREMENTS FOR TENDERING**

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

**INFORMATION REPORT**

**10 REPORT FOR THE INFORMATION OF COUNCIL - INVESTMENT REPORT AS AT 30 APRIL 2023**

Note: An Information Report was presented to Council.

## **NOTICES OF MOTION**

### **1 ENVIRONMENTAL SEDIMENT PROBLEM AROUND MORRISON BAY - Councillor Roy Maggio**

Note: David Hall, Andrew & Jackie Foristal, Alison Small, Sonja & David Heyworth, Tom Krapeshlis, David Galvin, Giovaaninno Navarra, Lachlan Heyworth, Liz Parsons, James Balestriere, Fonda Argyrakakls, Amber & Nathan Sawyers, George Ozbenian, Serge Laureti, Tony & Kylie Gillies and David Low made a written submission on this Item and copies are **ON FILE**.

**RESOLUTION:** (Moved by Councillors Maggio and O'Reilly)

- (a) That Council arrange an on-site meeting at low tide to discuss the environmental problem occurring in Morrison Bay with the following parties invited:
1. Federal Member for Bennelong – The Hon. Jerome Laxale MP
  2. State Member for Lane Cove – Anthony Roberts MP
  3. EPA & Maritime
  4. Parramatta River Catchment Group
  5. City of Ryde Mayor & Councillors
  6. City of Ryde staff
  7. Civile Consultancy – Mr Andrew McMillan
  8. Macquarie University - Environment Faculty
- (b) That dependent on the outcomes of the on-site meeting, Council request the State Government to undertake a detailed study examining the factors causing this environmental problem and possible options to ameliorate the sediment from polluting Morrison Bay and reaching Sydney Harbour.

**Record of Voting:**

For the Motion: Unanimous

### **2 SOCIAL RESPONSIBILITY PROGRAM - Councillor Roy Maggio**

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

- (a) That Council recognises that volunteering can provide significant benefits to the community and encourages social cohesion and community wellbeing.
- (b) That volunteering opportunities are available in many different forms such as giving of time for a charity or local community group, assisting at a fundraising activity or event or even giving blood.

- (c) That the Chief Executive Officer investigates the opportunity to provide staff with one (1) day of leave per year to undertake volunteering within the City of Ryde.
- (d) That the Mayor and the Chief Executive Officer prepare a media release and encourages the wider community to be involved in local volunteering to benefit the community.

**Record of Voting:**

For the Motion: Unanimous

**3 QUESTIONS BY COUNCILLORS ON COUNCIL MEETING AGENDA ITEMS -  
Councillor Roy Maggio**

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

That any questions asked by Councillors on Agenda Items during the Council briefing prior to the Council Meeting be reported to Councillors via direct email via the Helpdesk within three (3) days.

**Record of Voting:**

For the Motion: The Mayor, Councillor Yedelian OAM and Councillors Brown, Deshpande, Han, Lane, Lara-Watson, Li and Maggio

Against the Motion: Councillors O'Reilly, Pedersen, Purcell and Song

**4 COST OF LIVING RELIEF - Councillor Sophie Lara-Watson**

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

**5 PEDESTRIAN CROSSING FOR SEE STREET, MEADOWBANK - Councillor  
Bernard Purcell**

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

**6 REPORT ON RISKS TO ENVIRONMENT, PUBLIC HEALTH, AMENITY AND  
THE WESTERN HARBOUR TUNNEL AND WARRINGAH FREEWAY  
UPGRADE SUPPORT SITE - Councillor Penny Pedersen**

Note: Frances Breen (representing the Ryde Hunters Hill Flora & Fauna Preservation Society Inc) made a written submission on this Item and a copy is **ON FILE**.

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

## Council notes that:-

1. City of Ryde (CoR) Council values open space, bushland and biodiversity in the local government area and understands the cultural, environmental, public health and economic benefits of protecting the Lane Cove National Park and Lane Cove River.
2. CoR has a zero emissions target and understands that Methane is at least 72 times more potent in terms of its global warming effect than CO<sub>2</sub>.
3. Transport for NSW (T4NSW) during the last term of government made a modification request to the Department of Planning in regards to the Western Harbour Tunnel and Warringah Freeway Upgrade, requesting to build a Construction Support Site (SSI 8863 Mod 1) at Wicks Road in Macquarie Park on leased land from the CoR (which borders the Lane Cove National Park and Lane Cove River). The Proposed works at the site include: excavation and earthmoving, materials stockpiling of spoil from the Cammeray tunnel dive site, segregating and testing area; establishment of a parking area for 250 vehicles for construction staff who will be bussed to and the tunnel site from Wicks road; a precast concrete construction facility; a truck marshalling area for 24/7 truck drop off; a new access road from Wicks Road; among other associated support buildings and infrastructure.
4. The NSW Environment Protection Authority (EPA) supplied advice on the T4NSW Western Sydney Harbour Tunnel modification application request. Noting:
  - Concerns over existing quality of surface water runoff from the CoR Porters Creek Construction Materials Recycling Facility.
  - Concerns with the proposed use of Council land by transport for NSW as a spoil transfer, construction and stockpile site at 160 Wicks Road Macquarie Park (within the existing Porters Creek Environmental Construction Materials Recycling Facility) regarding: noise; air quality; methane release; contamination of Lane Cove national park, and water flowing to Lane Cove River.
  - 160 Wicks Road (within the existing Porters Creek Environmental Construction Materials Recycling Facility) is a former landfill site that was licensed under EPL 4533 which was surrendered in July 2004. The surrender was approved subject to ongoing conditions including management monitoring conditions, most of which remain in place and are the responsibility of the CoR.



- Previous assessments have confirmed subsurface methane is present.
5. Department of Planning and Environment - Biodiversity and Conservation, supplied advice on the T4NSW, Western Sydney Harbour Tunnel modification application request. Noting concern over:
- Significant impacts on the National Park regarding threatened fauna due to acoustic, vibration impacts, light pollution and the 24-hour nature of the works.
  - Dust and other airborne particulates, erosion and sediment entering the park damaging vegetation.
  - No clear mapping of land use near the Park boundary.
  - Impacts on local traffic due to significant additional truck movements and overuse of the local road network.
  - Risk of stormwater, erosion, runoff to cause downstream impacts.
  - Noise and vibration will impact on park users as the proposal would be operational 24 hours a day, seven days a week for 5 years.
  - Concrete manufacture facilities have potential to cause air quality impacts on fauna and park users.
  - No details regarding the age or size of the Eucalyptus sp. tree that is proposed to be removed for the construction; re-use of the tree or the local native provenance plant species that should replace this tree 2:1 or evidence of consult with local community restoration/rehabilitation groups, Landcare groups, surrounding reserve managers (NPWS) and Council who's responses must be documented.
6. Complaints have been made by customers visiting a business at 150 Wicks Road, North Ryde regarding odourous, dark coloured water seepage from the ground and that this land sits on a hill beside Porters Creek, a tributary of the Lane Cove River.
- (a) That staff bring back a report on the management of the former landfill site 160 Wicks Road Macquarie Park (within the existing Porters Creek Environmental Construction Materials Recycling Facility) and the Transport for NSW (T4NSW) proposal to lease the land from City of Ryde (CoR) and build a transfer station there, outlining:

- i. The 'management monitoring' conditions that were set out by the EPA when CoR surrendered the landfill site licence in 2004 and a record of maintenance that proves council has consistently met the EPA conditions since then - including any infrastructure failures.
- ii. Detail of the strategy used to monitor and mitigate methane leakage at 160 Wicks Road (within the existing Porters Creek Environmental Construction Materials Recycling Facility) and a description of what is done when methane is detected.
- iii. What level - if any - that CoR City works (and the EPA) consider an acceptable level of methane seepage from any former land fill site.
- iv. Details of former correspondence from the EPA, in regards to the quality of surface water runoff from 160 Wicks Road (within the existing Porters Creek Environmental Construction Materials Recycling Facility) and what was done in response by staff to mitigate pollutant runoff and how this is monitored.
- v. Details on the proposed operation that have been shared with Council dates and environmental protections included in the proposed (or current) lease agreement between CoR and T4NSW (or the developer) proposing the spoil transfer station.
- vi. Details of the program of community consultation regarding the development (from T4NSW or developer). Including details of newspaper ads, drop in sessions, identification of streets in the LGA where letter boxing was carried out, social media, direct mail or sites where signage was erected.
- vii. The size and age of the Eucalyptus sp. tree that is growing on the site and marked to be removed in this proposal; the local native provenance plant species that should replace this tree 2:1 and details of consultation regarding the tree removal with Council.
- viii. A historical account of the ownership of the land at 150 Wicks Road North Ryde.
- ix. Detail that may have been shared to Council regarding EPA inspections of subsoil and groundwater at 150 Wicks Road North Ryde and if there is none that staff liaise with the EPA to identify if the groundwater is contaminated and if it is reaching Porters creek or CoR stormwater (perhaps evident during periods of heavy rain).

- (b) That the Chief Executive Officer write to transport for NSW requesting:
- i. A copy of the leaflet that was produced by transport for NSW (or the contracted developer) and distributed to select neighbourhoods in early to mid 2022 which was the subject of a News Ltd press report and allegedly gave details of proposed truck size, volume of traffic, times, frequency of movements, the route of truck movements over 24 hours and the period of time they propose to use the support site.
  - ii. If not available then a request for the size and number of trucks that are proposed to be entering and exiting the Wicks Road site; the proposed route the trucks will take to access the site; what hours of the day the trucks will be accessing the site and using roads in the CoR LGA.
  - iii. A workshop/briefing by the developer with Councillors to discuss the environmental impact of the proposal on the health of local residents, waterways, parkland, biodiversity and traffic.
  - iv. The applicant's proposed consultation program for our ratepayers, Council staff and Councillors; including results of any consultation already undertaken; with details of newspaper ads, drop in sessions, social media, direct mail or sites where signage was erected and identification of streets in the LGA where the applicant carried out letter boxing.

Note: Councillor Lara-Watson left the meeting at 8.15pm during discussion on this Item and was not present for voting.

**AMENDMENT:** (Moved by Councillors Lara-Watson and Maggio)

- (a) City of Ryde values open space, bushland and biodiversity in the local government area and understands the cultural, environmental and public health benefits of protecting the Lane Cove National Park and Lane Cove River.
- (b) Porters Environmental Construction Materials Recycling Facility also known as Porters Creek Depot, is Council's construction waste recycling facility. It is located at 160 Wicks Road, Macquarie Park (within the existing Porters Creek Environmental Construction Materials Recycling Facility).
- (c) The Porters Creek Depot recycles thousands of tonnes of asphalt and concrete waste annually, meeting the NSW Environment Protection Authority (EPA) waste minimisation directives and Circular Economy principles, and affords large savings to the City of Ryde in disposal and new material costs.

- (d) Porters Creek Depot is licenced and overseen by the NSW EPA. Qualified and experienced staff complete an annual licence return, annual survey, and an annual water quality report for submission to the EPA. This has occurred since the Environmental Protection Licence (EPL) was issued in 2009.
- (e) Council publishes on its website a tailored Pollution Incident Response Management Plan (PIRMP) for the Porters Creek Depot. The PIRMP was established to satisfy the corresponding requirements of the Protection of the Environment Operations Act 1997 (POEO Act). The PIRMP includes routine pollution incident scenario tests to ensure staff are trained in risk identification and response. The most recent test was undertaken in March 2023.
- (f) A Councillor workshop was held 30 August 2022 to discuss Porters Creek Master-planning and the use of part of Porters Creek Depot as a Warringah Freeway Upgrade support site for the Transport for NSW state-significant infrastructure project, including the economic benefits to the City of Ryde.
- (g) The Warringah Freeway Upgrade is part of a major transport infrastructure connection project that will make it easier, faster and safer to get around Sydney. It is a state-significant infrastructure project (SSI 8863) initiated by Transport for NSW.
- (h) NSW Department of Planning and Environment (DPE) is the consent authority for the Warringah Freeway Upgrade state-significant infrastructure project and modifications. The NSW EPA has made comment on this project and subsequent modification. In addition, Council has also made comment on the modification as the Local Government Authority.
- (i) Should DPE approve the state-significant infrastructure modification then the Warringah Freeway Upgrade support site would be managed under its own EPA EPL to strict environmental controls and conditions.
- (j) That Councillors are provided with an update through the Councillor Information Bulletin as the modification approval status changes.

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

**Record of Voting:**

For the Amendment: The Mayor, Councillor Yedelian OAM and Councillors Brown, Deshpande, Han, Lane, Li and Maggio

Against the Amendment: Councillors O'Reilly, Pedersen, Purcell and Song

Note: Councillor Lara-Watson was not present for voting on this Item.

**RESOLUTION:**

- (a) City of Ryde values open space, bushland and biodiversity in the local government area and understands the cultural, environmental and public health benefits of protecting the Lane Cove National Park and Lane Cove River.
- (b) Porters Environmental Construction Materials Recycling Facility also known as Porters Creek Depot, is Council's construction waste recycling facility. It is located at 160 Wicks Road, Macquarie Park (within the existing Porters Creek Environmental Construction Materials Recycling Facility).
- (c) The Porters Creek Depot recycles thousands of tonnes of asphalt and concrete waste annually, meeting the NSW Environment Protection Authority (EPA) waste minimisation directives and Circular Economy principles, and affords large savings to the City of Ryde in disposal and new material costs.
- (d) Porters Creek Depot is licenced and overseen by the NSW EPA. Qualified and experienced staff complete an annual licence return, annual survey, and an annual water quality report for submission to the EPA. This has occurred since the Environmental Protection Licence (EPL) was issued in 2009.
- (e) Council publishes on its website a tailored Pollution Incident Response Management Plan (PIRMP) for the Porters Creek Depot. The PIRMP was established to satisfy the corresponding requirements of the Protection of the Environment Operations Act 1997 (POEO Act). The PIRMP includes routine pollution incident scenario tests to ensure staff are trained in risk identification and response. The most recent test was undertaken in March 2023.
- (f) A Councillor workshop was held 30 August 2022 to discuss Porters Creek Master-planning and the use of part of Porters Creek Depot as a Warringah Freeway Upgrade support site for the Transport for NSW state-significant infrastructure project, including the economic benefits to the City of Ryde.
- (g) The Warringah Freeway Upgrade is part of a major transport infrastructure connection project that will make it easier, faster and safer to get around Sydney. It is a state-significant infrastructure project (SSI 8863) initiated by Transport for NSW.

- (h) NSW Department of Planning and Environment (DPE) is the consent authority for the Warringah Freeway Upgrade state-significant infrastructure project and modifications. The NSW EPA has made comment on this project and subsequent modification. In addition, Council has also made comment on the modification as the Local Government Authority.
- (i) Should DPE approve the state-significant infrastructure modification then the Warringah Freeway Upgrade support site would be managed under its own EPA EPL to strict environmental controls and conditions.
- (j) That Councillors are provided with an update through the Councillor Information Bulletin as the modification approval status changes.

On being put to the meeting, Councillors O'Reilly, Pedersen, Purcell and Song abstained from voting and accordingly their votes were recorded Against the Motion.

**Record of Voting:**

For the Motion: The Mayor, Councillor Yedelian OAM and Councillors Brown, Deshpande, Han, Lane, Li and Maggio

Against the Motion: Councillors O'Reilly, Pedersen, Purcell and Song

**7 SUPPORTING A CIVIC EDUCATION PROGRAM TO BUILD AWARENESS OF THE ULURU STATEMENT FROM THE HEART AND THE REFERENDUM ON THE ABORIGINAL AND TORRES STRAIT ISLANDER VOICE TO PARLIAMENT - Councillor Penny Pedersen**

Note: Councillor Lara-Watson returned to the meeting at 8.30pm during discussion on this Item.

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

- (a) Council notes that:
  - i. The Uluru Statement from the Heart was delivered at the First Nations National Constitutional Convention in May 2017 in which more than 250 Aboriginal and Torres Strait Islander leaders from around Australia met to discuss constitutional reform - the statement calls for a constitutionally enshrined "First Nations Voice".
  - ii. City of Ryde's local government area (LGA) has 130,953 residents (2021 Census) of which 610 people identified as Aboriginal and/or Torres Strait Islander.
  - iii. Ryde LGA has over 62 Aboriginal heritage sites.

- iv. In August 2018 the City of Ryde Council resolved to support the Uluru Statement from the Heart, which calls for the establishment of a “First Nations Voice” to be enshrined in the Constitution of Australia.
  - v. Thirty-eight Mayors from across Australia have signed a declaration to endorse the Uluru Statement, build awareness in the community around the referendum, inform the community about what it means for indigenous people to have a voice to parliament; acknowledging that local government must play an important role in holding civic forums; giving indigenous people a platform to be heard in the debate and that a successful referendum can be a unifying achievement for Australia.
- (b) That the Mayor sign the declaration below, along with the other 38 Mayors stating:
- "We the undersigned endorse the Uluru Statement from the Heart and support constitutional recognition for Aboriginal and Torres Strait Islander people through a Voice to Parliament.
- As local leaders we are committed to building awareness in our communities about the upcoming referendum.
- Our citizens should be informed about what constitutional recognition through a Voice to Parliament will mean for Indigenous people and Australian society as a whole.
- Local government must play an important role in holding civic forums, promoting dialogue, and providing a platform for Indigenous voices to be heard in the debate.
- We believe that a successful referendum can be a unifying achievement for Australia.
- We are ready to work with all levels of government to educate and inform our communities about why this referendum is such an important moment for our nation."
- (c) That staff prepare a report for the July Ordinary meeting of Council about the costs and logistics for undertaking a program that includes:
- i. Supporting a civic education program to build awareness of the Uluru Statement from the Heart and the upcoming Referendum on the Aboriginal and Torres Strait Islander Voice to Parliament. This is to include the aim to train 1000 local citizens to assist in civic education about the referendum within the City of Ryde and in other communities.

- ii. Seeking the advice and endorsement of Aboriginal and Torres Strait Islander organisations and neighbouring councils in the development of the program.
- iii. Seeking the collaboration of civic society organisations and that have been undertaking similar education already.
- iv. Making Council's halls and facilities available free of charge for all categories of hirers who run education about the yes campaign.
- v. On endorsement of the program in July, immediately commencing recruitment of local citizens for the civic education program with an initial allocation of funds for community engagement and outreach needed to get local citizens involved. Funding for this is to be identified in the report.
- vi. Seek to adopt a new protocol for flags raised on Council infrastructure so that the Aboriginal flag flies whenever the Australian flag is flying and takes precedence over the NSW Flag.
- vii. Consult with the City of Ryde reconciliation action plan working group, reconciliation Australia, the Australian Human rights commission, The Office of Local Government, Local Government NSW; The Australian Local Government Association and the department of indigenous studies at Macquarie university, for recommendations on to how to best incorporate the Uluru Statement from the Heart into Council's Community Strategic Plan.

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

That Council notes the Labor Federal Government's proposed Constitutional Referendum and return a report at the July meeting outlining opportunities to increase civic engagement and participation in the referendum.

On being put to the meeting, the voting on the Amendment was eight (8) For and four (4) Against. The Amendment was **CARRIED** and then became the Motion.

**Record of Voting:**

For the Amendment: The Mayor, Councillor Yedelian OAM and Councillors Brown, Deshpande, Han, Lane, Lara-Watson, Li and Maggio

Against the Amendment: Councillors O'Reilly, Pedersen, Purcell and Song



**RESOLUTION:**

That Council notes the Labor Federal Government's proposed Constitutional Referendum and return a report at the July meeting outlining opportunities to increase civic engagement and participation in the referendum.

**Record of Voting:**

For the Motion: Unanimous

**8 SHRIMPTONS CREEK WILDLIFE CORRIDOR, SANTA ROSA PARK -  
Councillor Katie O'Reilly**

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

**CLOSED SESSION**

**ITEM 11 - 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: (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**ITEM 12 – 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 proposed to conduct) business.

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

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

**Record of Voting:**

For the Motion: Unanimous

Note: The Council closed the meeting at 8.50pm. The public and media left the chamber and the webcast.

---

**CONFIDENTIAL COUNCIL REPORTS****11 PROPERTY MATTER**

Note: Councillor Maggio left the meeting at 8.54pm during discussion on this Item and did not return. He was not present for voting on this Item.

Note: Councillor Lara-Watson left the meeting at 8.58pm and was not present for voting on this Item.

**RECOMMENDATION:** (Moved by Councillors Brown and Lane)

That Council:

- (a) Acquires the Property and associated buildings for the purpose of recreation use, as per the terms contained in the body of this report.
- (b) Notes that the land has several constraints on it, including being identified as flood prone, near to ecologically important vegetation and topography, making it suitable for recreation use.
- (c) Delegates authority to the CEO to finalise negotiations and execute all necessary documentation for the acquisition, consistent with the terms contained in this report.
- (d) Allocates the sum \$5,040,000 excluding GST from the Investment Property Reserve, to finance the Property acquisition, as per the terms contained in this report.
- (e) If acquisition of the Property occurs, gives public notice pursuant to the relevant provisions of the Local Government Act, of the intended classification of the land as Operational Land, for the reasons outlined in this report.
- (f) Following acquisition undertakes procurement action relating to the future use of the site, with a further report to come back to Council following the completion of this process.

**Record of Voting:**

For the Motion: Unanimous

## 12 PROPERTY MATTER

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

Note: Councillor Lara-Watson returned to the meeting at 9.09pm.

**RECOMMENDATION:** (Moved by Councillors Brown and Lane)

That:

1. Council compulsorily acquires the TG Millner Field, being the property at 146 Vimiera Road, Marsfield, being the land comprised in Lot 7 in DP 1046532 (**Property**), pursuant to sections 186(1), 187(1) and 377(1)(h) of the *Local Government Act 1993 (LG Act)* and the relevant provisions of the *Land Acquisition (Just Terms Compensation) Act 1991 (JT Act)*.
2. Council compulsorily acquires the Property for the purpose of exercising its service functions under the LG Act of providing land for public open space.
3. Council makes an application to the Minister for Local Government through the Office of Local Government, pursuant to section 187(2) of the LG Act, for approval to acquire the Property by compulsory process, in accordance with the JT Act, by the issue of proposed acquisition notices (**PAN**) to the owner of the Property and any other persons with a relevant interest in the Property.
4. Council makes an application to the Governor through the Office of Local Government, under section 19 of the JT Act, for approval to acquire the Property by compulsory process, by the publication of an acquisition notice in the NSW Government Gazette.
5. As soon as the acquisition of the Property becomes imminent, Council gives public notice pursuant to section 34 of the LG Act of a proposed resolution to classify the Property as "Community Land".
6. Council classifies the Property within 3 months after acquisition as community land under section 31 of the LG Act.
7. Council authorises the Chief Executive Officer to finalise and execute all relevant documents to give effect to resolutions 1 to 6 (inclusive) above; and
8. After any approval is granted by the Minister to issue PANs, but prior to the issue of the PANs by the Council, a further report be brought to Council for its consideration, with respect to the funding sources and any remaining procedural requirements for the acquisition of the Property.

**Record of Voting:**

For the Motion: Unanimous

**OPEN SESSION**

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

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

**Record of Voting:**

For the Motion: Unanimous

Note: Open Council resumed at 9.11pm.

The meeting closed at 9.11pm.

CONFIRMED THIS 27TH DAY OF JUNE 2023

Chairperson