

Committee of the Whole

MINUTES OF MEETING NO. 11/09

Meeting Date: Tuesday 4 August 2009
Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde
Time: 7.33pm

Councillors Present: The Mayor, Councillor V Tagg and Councillors M Butterworth, A Etmekdjian, J Li, R Maggio, G O'Donnell, I Petch, T Perram, W Pickering, J Salvestro-Martin and S Yedelian.

Apology: Councillor N Campbell.

Staff Present: General Manager, Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, Manager – Human Resources, Manager – Risk & Audit, Media & Community Relations Officer and Senior Administration Co-ordinator.

ADJOURNMENT OF MEETING

RESOLUTION: (Moved by Councillors Pickering and Maggio)

That the Committee of the Whole Meeting 11/09 be adjourned, the time being 7.34pm, to be reconvened at 8.15pm in Committee Room 2, Level 5 of the Civic Centre 1 Devlin Street, Ryde.

Record of Voting

For the Motion: Unanimous.

MEETING RESUMED

The Meeting resumed at 8.15pm in Committee Room 2, Level 5 of the Civic Centre, 1 Devlin Street, Ryde. At the time of the resumption of the meeting the attendance was as follows:

Councillors Present: The Mayor, Councillor V Tagg and Councillors M Butterworth, A Etmekdjian, J Li, R Maggio, G O'Donnell, I Petch, T Perram, W Pickering, J Salvestro-Martin and S Yedelian.

DISCLOSURES OF INTEREST

Minutes of the Committee of the Whole No. 11/09, dated 4 August 2009.

The Group Manager – Public Works disclosed a pecuniary interest in Item 9 – REQUEST FOR RENEWAL OF SENIOR STAFF EMPLOYMENT CONTRACT as it directly relates to his contract of employment.

1 CONFIRMATION OF MINUTES

RESOLUTION: (Moved by Councillors Butterworth and Salvestro-Martin)

That the Minutes of the Committee of the Whole No. 10/09 held on 21 July 2009, be confirmed.

Record of Voting

For the Motion: Unanimous.

SUSPENSION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Li and Pickering)

That standing orders be suspended the time being 8.16pm to allow consideration of Item 8 – NSW COMMUNITY BUILDING PARTNERSHIP PROGRAM 2009/10.

Record of Voting

For the Motion: Unanimous

8 NSW COMMUNITY BUILDING PARTNERSHIP PROGRAM 2009/10 - Project Nomination

Note: Mr Mark Chan addressed the meeting on behalf of North Ryde Community Aid. Ms Lorraine Bower addressed the meeting on behalf of the Ryde Environment Group and tabled a document from Mr Noel Plumb, a copy of which is ON FILE.

RESOLUTION: (Moved by Councillors O'Donnell and Etmekdjian)

- (a) That the report of the Business Support Coordinator - Public Works, dated 30/07/2009 on NSW COMMUNITY BUILDING PARTNERSHIP PROGRAM 2009/10 - Project Nomination, be received and noted.
- (b) That Council approve the proposed list of projects and priorities for application under the NSW Community Building Partnership program as detailed in this report.

Record of Voting

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For the Motion: Unanimous.

RESUMPTION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Li and Pickering)

That standing orders be resumed the time being 8.34pm.

Record of Voting

For the Motion: Unanimous

2 OUTDOOR DINING POLICY - Revised Policy and Approval Process

RESOLUTION: (Moved by Councillors O'Donnell and Yedelian)

- (a) That the report of the Strategic Planner, dated 20/07/2009 on OUTDOOR DINING POLICY - Revised Policy and Approval Process, be received and noted.
- (b) That the draft City of Ryde Outdoor Dining Policy attached to this report be placed on public exhibition for a period of not less than 28 days, and the local Chambers of Commerce and the Ryde Business Forum be asked to provide their comments on the revised policy.
- (c) That the General Manager be delegated the authority to incorporate any minor amendments necessary as a result of Council's resolution on this report to ensure that the policy placed on public exhibition reflects the process and policy matters identified in the report.
- (d) That a further report on the draft revised Outdoor Dining Policy be submitted to Council at the conclusion of the exhibition period.
- (e) That the amendments to the process for approval for outdoor dining proposals outlined in Option 2 in the report of the Strategic Planner, dated 20 July 2009 on OUTDOOR DINING POLICY – Revised Policy and Approval Process be adopted.
- (f) That an amendment be made to Draft Local Environmental Plan 2008 to include outdoor dining within Schedule 2 Exempt Development and to amend the zone of a number of roads in the locations listed in this report and these amendments be incorporated in the section 68 report submitted to the Department of Planning.
- (g) That in the development of the Comprehensive Local Environmental Plan, that

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all City of Ryde roads be zoned in a way that allows footpath dining.

Record of Voting

For the Motion: Unanimous.

3 COMPANION ANIMAL ADVISORY COMMITTEE - Minutes of Meeting held on 2 June 2009

RESOLUTION: (Moved by Councillors Pickering and Maggio)

- (a) That the report of the Ranger Technical Support, dated 22/07/2009 on COMPANION ANIMAL ADVISORY COMMITTEE - Minutes of Meeting held on 2 June 2009, be received and noted.
- (b) That further consultation be undertaken about the exact nature of what is proposed in terms of the number of hours intended for off leash areas at Meadowbank Park with all users of the park, in addition to all residents in the surrounding area.

Record of Voting

For the Motion: The Mayor, Councillor Tagg, Councillors Pickering, Petch, Li, Perram, O'Donnell, Salvestro-Martin, Etmekdjian, Butterworth and Maggio.

Against the Motion: Councillor Yedelian.

4 2009 LOCAL GOVERNMENT ASSOCIATION CONFERENCE - PROPOSED MOTIONS

MOTION: (Moved by Councillors Salvestro-Martin and Perram)

- (a) That the report of the Administration Coordinator, dated 23/07/2009 on 2009 LOCAL GOVERNMENT ASSOCIATION CONFERENCE - PROPOSED MOTIONS, be received and noted.
- (b) That Council endorse the Motions as detailed in ATTACHMENT 1 to the report.
- (c) That the Local Government Association be advised of Council's Motions for the 2009 Local Government Association Conference.
- (d) That NSROC be advised of the City of Ryde's motions for the 2009 Local

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Government Association Conference for consideration at its Annual Conference on Thursday 6 August 2009.

AMENDMENT: (Moved by Councillors Maggio and Pickering)

- (a) That the report of the Administration Coordinator, dated 23/07/2009 on 2009 LOCAL GOVERNMENT ASSOCIATION CONFERENCE - PROPOSED MOTIONS, be received and noted.
- (b) That Council endorse the Motions as detailed in ATTACHMENT 1 to the report with the removal of the words "and thank" from Motion 4: Local Infrastructure Fund.
- (c) That the Local Government Association be advised of Council's Motions for the 2009 Local Government Association Conference.
- (d) That NSROC be advised of the City of Ryde's motions for the 2009 Local Government Association Conference for consideration at its Annual Conference on Thursday 6 August 2009.

Record of Voting

For the Amendment: The Mayor, Councillor Tagg, Councillors Pickering, Etmekdjian and Maggio.

Against the Amendment: Councillors Yedelian, O'Donnell, Butterworth, Perram, Petch, Li and Salvestro-Martin.

ON BEING PUT TO THE MEETING THE AMENDMENT WAS LOST.

A FURTHER AMENDMENT: (Moved by Councillors O'Donnell and Salvestro-Martin)

- (a) That the report of the Administration Coordinator, dated 23/07/2009 on 2009 LOCAL GOVERNMENT ASSOCIATION CONFERENCE - PROPOSED MOTIONS, be received and noted.
- (b) That Council endorse the Motions as detailed in ATTACHMENT 1 to the report with the addition of the following Motion:

That Conference notes the historic and unanimous decision of the Broken Hill 2008 Local Government Association Conference which was; *"That Conference support the provision of 18 weeks paid maternity leave and two weeks paid paternity leave, as a standard condition for all NSW Local Government employees"* That, consistent with this 2008 LGA Conference decision, Conference directs the LGSA to include these increased parental leave provisions as a standard condition in the renegotiation of the Local Government Award for all NSW Local Government employees without

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caveat.

- (c) That the Local Government Association be advised of Council's Motions for the 2009 Local Government Association Conference.
- (d) That NSROC be advised of the City of Ryde's motions for the 2009 Local Government Association Conference for consideration at its Annual Conference on Thursday 6 August 2009.

Record of Voting

For the Amendment: The Mayor, Councillor Tagg, Councillors Pickering, Etmekdjian Yedelian, O'Donnell, Butterworth, Petch, Li and Salvestro-Martin.

Against the Amendment: Councillors Perram and Maggio.

ON BEING PUT TO THE MEETING THE AMENDMENT WAS DECLARED CARRIED AND BECAME THE MOTION.

RESOLUTION: (Moved by Councillors O'Donnell and Salvestro-Martin)

- (a) That the report of the Administration Coordinator, dated 23/07/2009 on 2009 LOCAL GOVERNMENT ASSOCIATION CONFERENCE - PROPOSED MOTIONS, be received and noted.
- (b) That Council endorse the Motions as detailed in ATTACHMENT 1 to the report with the addition of the following Motion:

That Conference notes the historic and unanimous decision of the Broken Hill 2008 Local Government Association Conference which was; *"That Conference support the provision of 18 weeks paid maternity leave and two weeks paid paternity leave, as a standard condition for all NSW Local Government employees"* That, consistent with this 2008 LGA Conference decision, Conference directs the LGSA to include these increased parental leave provisions as a standard condition in the renegotiation of the Local Government Award for all NSW Local Government employees without caveat.

- (c) That the Local Government Association be advised of Council's Motions for the 2009 Local Government Association Conference.
- (d) That NSROC be advised of the City of Ryde's motions for the 2009 Local Government Association Conference for consideration at its Annual Conference on Thursday 6 August 2009.

Record of Voting

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For the Motion: The Mayor, Councillor Tagg, Councillors Pickering, Etmekdjian Yedelian, O'Donnell, Butterworth, Petch, Li and Salvestro-Martin.

Against the Motion: Councillors Perram and Maggio.

5 TOWN CENTRES - Christmas Banners and Lighting

RESOLUTION: (Moved by Councillors Maggio and Salvestro-Martin)

- (a) That the report of the Economic Development Manager, dated 23/07/2009 on TOWN CENTRES - Christmas Banners and Lighting, be received and noted.
- (b) That Council fund Town Centre Christmas Banners up to \$30,000 and Christmas Lighting for the Civic Centre up to \$20,000 from a combined budget allocation from Community Life and Public Works Groups.
- (c) An additional \$10,000 is allocated in the Community Relations and Events Budget for the purposes of Christmas Banners and Lighting.
- (d) That the Group Manager Environment & Planning be delegated to write to the Chambers of Commerce and major local businesses to seek supplementary support for Christmas and other decorations.

Record of Voting

For the Motion: Unanimous.

6 MEADOWBANK - Proposed Outdoor Dining Fees

MOTION: (Moved by Councillors Butterworth and Salvestro-Martin)

- (a) That the report of the Manager - Buildings and Property, dated 10/07/2009 on MEADOWBANK - Proposed Outdoor Dining Fees, be received and noted.
- (b) That Council endorse the proposed outdoor dining fees be set at \$135 per square metre.
- (c) That, subject to (b) above, the proposed outdoor dining fees be placed on public exhibition for a period of 28 days and the results of the public exhibition be reported to Council to determine the final fees to be charged.

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AMENDMENT: (Moved by Councillors Petch and Pickering)

- (a) That the report of the Manager - Buildings and Property, dated 10/07/2009 on MEADOWBANK - Proposed Outdoor Dining Fees, be received and noted.
- (b) That Council endorse the proposed outdoor dining fees be set at \$135 per square metre.
- (c) That, subject to (b) above, the proposed outdoor dining fees be placed on public exhibition for a period of 28 days and the results of the public exhibition be reported to Council to determine the final fees to be charged.
- (d) That a further report be provided regarding the charge for outdoor dining fees in Eastwood Plaza Precinct and Cox's Road Precinct.

Record of Voting

For the Amendment: The Mayor, Councillor Tagg, Councillors Pickering, Etmekdjian Yedelian, Maggio, Li and Petch

Against the Amendment: Councillors Perram, Salvestro-Martin, O'Donnell and Butterworth.

ON BEING PUT TO THE MEETING THE AMENDMENT WAS DECLARED CARRIED AND BECAME THE MOTION.

RESOLUTION: (Moved by Councillors Petch and Pickering)

- (a) That the report of the Manager - Buildings and Property, dated 10/07/2009 on MEADOWBANK - Proposed Outdoor Dining Fees, be received and noted.
- (b) That Council endorse the proposed outdoor dining fees be set at \$135 per square metre.
- (c) That, subject to (b) above, the proposed outdoor dining fees be placed on public exhibition for a period of 28 days and the results of the public exhibition be reported to Council to determine the final fees to be charged.
- (e) That a further report be provided regarding the charge for outdoor dining fees in Eastwood Plaza Precinct and Cox's Road Precinct.

Record of Voting

For the Motion: Unanimous.

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7 COUNCILLOR RECORDKEEPING POLICY

RESOLUTION: (Moved by Councillors Yedelian and Salvestro-Martin)

- (a) That the report from the and Manager Information and Records Management and Acting Manager Councillor Services be received and noted.
- (b) That Council endorse the Councillor Recordkeeping Policy as attached to this report.

Record of Voting

For the Motion: The Mayor, Councillor Tagg, Councillors Pickering, Salvestro-Martin, Yedelian, Li, Perram and Petch.

Against the Motion: Councillors Maggio, Etmekdjian, O'Donnell and Butterworth.

8 NSW COMMUNITY BUILDING PARTNERSHIP PROGRAM 2009/10 - Project Nomination

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

CLOSED SESSION

ITEM 9 – REQUEST FOR RENEWAL OF SENIOR STAFF EMPLOYMENT CONTRACT

Note: The Group Manager – Public Works disclosed a pecuniary interest in this item for the reason that it deals with his employment contract. He left the meeting, the time being 9.58pm.

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).

RESOLUTION: (Moved by Councillors Petch and Pickering)

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

Record of Voting:

For the Motion: Unanimous.

Note: The Committee closed the meeting at 10.00pm. The public and media left the room. All staff left the meeting with the exception of the General Manager and Senior Administration Coordinator.

9 REQUEST FOR RENEWAL OF SENIOR STAFF EMPLOYMENT CONTRACT

RESOLUTION: (Moved by Councillors O'Donnell and Yedelian OAM)

- (a) That the report of the General Manager, dated 31/07/2009 on REQUEST FOR RENEWAL OF SENIOR STAFF EMPLOYMENT CONTRACT, be received and noted.
- (b) That all actions contained in the above report be adopted as resolutions of Council.

Record of Voting

For the Motion: The Mayor, Councillor Tagg, Councillors O'Donnell, Salvestro-Martin, Yedelian, Li, Perram and Petch.

Against the Motion: Councillors Maggio, Etmekdjian, Pickering and Butterworth.

OPEN SESSION

RESOLUTION: (Moved by Councillors Petch and Pickering)

That the Committee resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous.

Note: The Open Committee resumed at 10.20pm.

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On resuming business in Open Committee, the General Manager formally reported the business transacted in Closed Session.

RESOLUTION: (Moved by Councillors Petch and Pickering)

That the General Manager's report of the business transacted in Closed Session be received and adopted as a resolution of Committee of the Whole without any alteration or amendment thereto.

Record of Voting:

For the Motion: Unanimous.

The meeting closed at 10.21pm.

CONFIRMED THIS 18TH DAY OF AUGUST 2009.

Chairperson

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General Manager

Mayor