

Committee of the Whole

MINUTES OF MEETING NO. 15/09

Meeting Date: Tuesday 6 October 2009
Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde
Time: 7.30pm

Councillors Present: The Mayor, Councillor Butterworth and Councillors Campbell, Etmekdjian, Li, Maggio, Petch, Perram, Pickering, Salvestro-Martin, Tagg and Yedelian OAM.

Apology: Councillor O'Donnell

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

DISCLOSURES OF INTEREST

Councillors Petch, Tagg, Pickering and Yedelian disclosed a non-pecuniary interest in Item 2 of the Committee's Report No. 15/09 – 6 October 2009 , for the reason that they are dog owners.

1 CONFIRMATION OF MINUTES

RESOLUTION: (Moved by Councillors Petch and Perram)

That the Minutes of the Committee of the Whole No. 14/09 held on 15 September 2009, be confirmed.

Record of Voting:

For the Motion: Unanimous.

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2 RESULT OF PUBLIC EXHIBITION - Extension of Dog Off Leash Area Times at Meadowbank Park

Note: Rod Clark, Valerie Foley, Judy Willis, Megan Napper, Nora Alexanian, Bang Tran, Lynn McHale, Louise Moore and Melina Waibel addressed the meeting.

Nora Alexanian tabled a document in relation to this item and a copy is ON FILE.

Melina Waibel tabled a map and a copy is ON FILE.

Beth Cooper tabled a statement and a copy is ON FILE.

Louise Sauvage tabled a statement and a copy is ON FILE.

MOTION: (Moved by Councillors Perram and Pickering)

- (a) That the report of the Manager - Open Space, dated 4/08/2009 on RESULT OF PUBLIC EXHIBITION - Extension of Dog Off Leash Area Times at Meadowbank Park, be received and noted.
- (b) That there be no change to the current off leash area times at Meadowbank Park.
- (c) That the General Manager prepare a report to Council detailing suitable alternate locations within Meadowbank Park with the intention to extend the dog off leash hours.

AMENDMENT: (Moved by Councillors Campbell and Petch)

- (a) That the report of the Manager - Open Space, dated 4/08/2009 on RESULT OF PUBLIC EXHIBITION - Extension of Dog Off Leash Area Times at Meadowbank Park, be received and noted.
- (b) That the hours of the Meadowbank Park dog off leash area be amended to the following:
 - Monday to Friday - 6am to 10am and 4pm to 9.30pm
 - Saturday – 5.30pm to 9.30pm
 - Sunday – 5.30pm to 9.30pm.
- (c) That signage be amended to reflect the change in hours of the Meadowbank Park dog off leash area.
- (d) That two additional dog waste bag stations and bags be provided at the western end of Meadowbank Park.
- (e) That the log fence around the playground at the western end of Meadowbank Park be replaced with a chain wire fence.
- (f) That the Council increase the removal of the doggy bins waste to a minimum of twice per week.

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- (g) That Council advise residents notified during the public exhibition of Council's decision on the matter.
- (h) That Council provide updated information on the website and through the Ryde City View to inform the community of these changes.
- (i) That the General Manager provide a further report exploring an accelerated proposal for off leash areas around the City of Ryde.

ON BEING PUT TO THE MEETING THE AMENDMENT RECEIVED FOUR(4) VOTES FOR AND SEVEN (7) VOTES AGAINST AND WAS DECLARED **LOST**.

Record of Voting:

For the Amendment: Councillors Petch, Salvestro-Martin, Campbell and The Mayor, Councillor Butterworth.

Against the Amendment: Councillors Tagg, Perram, Etmekdjian, Yedelian, Pickering, Li and Maggio.

ON BEING PUT TO THE MEETING THE MOTION WAS DECLARED **CARRIED**.

RESOLUTION: (Moved by Councillors Perram and Pickering)

- (a) That the report of the Manager - Open Space, dated 4/08/2009 on RESULT OF PUBLIC EXHIBITION - Extension of Dog Off Leash Area Times at Meadowbank Park, be received and noted.
- (b) That there be no change to the current off leash area times at Meadowbank Park.
- (c) That the General Manager prepare a report to Council detailing suitable alternate locations within Meadowbank Park with the intention to extend the dog off leash hours.

For the Motion: The Mayor, Councillor Butterworth, Councillors Petch, Tagg, Perram, Etmekdjian, Pickering, Li and Maggio.

Against the Motion: Councillors Salvestro-Martin, Yedelian and Campbell.

3 STREET TREE PROGRAM - Progress to Date

Note: Mr Noel Plumb addressed the meeting on behalf of Ryde Environment Group. He tabled a statement and a copy is ON FILE.

MOTION: (Moved by Councillors Li and Tagg)

- (a) That the report of the Manager - Open Space, dated 2/09/2009 on STREET TREE PROGRAM - Progress to Date, be received and noted.
- (b) That Council use the agreed listing as adopted on 1 September 2009 for the Street Tree Planting Program.
- (c) That the residents of Dan, Greene, Delange, Callaghan, Cutler, Glenayr and Doomben Streets be thanked for their participation and advised:
 - Trees will be planted in the second quarter of 2010 for those residents who agreed with the species selected
 - Council will contact those residents who requested a smaller tree be informed that trees will be planted in the second quarter of 2010.
 - Trees will not be planted for those residents who did not wish to have a tree.
- (d) That where Council does have an ongoing program of tree planting in its Capital Works Program, that 50% of trees be from provenance stock and that these trees will be planted in streets and parks where they would contribute to conservation areas or wildlife corridors and are appropriate.

AMENDMENT: (Moved by Councillors Perram and Pickering)

- (a) That the report of the Manager - Open Space, dated 2/09/2009 on STREET TREE PROGRAM - Progress to Date, be received and noted.
- (b) That the Bushland and Environs Advisory Committee of Ryde recommendation as detailed below be used as guide only by Council staff;

“That all non local native trees and exotic trees proposed in the 2009-11 Street Tree Program and identified to Council by representatives of the Ryde Environment Group and Ryde Hunters Hill Fauna and Flora Protection Society in their letter of 25 March 2009 and discussions with Council Officer on 26 March 2009 be replaced by locally occurring, appropriate native trees submitted by Ryde Environment Group and the Society to Council on 25 and 26 March 2009.”
- (c) That the residents of Dan, Greene, Delange, Callaghan, Cutler, Glenayr and Doomben Streets be thanked for their participation and advised:
 - Trees will be planted in the second quarter of 2010 for those residents who agreed with the species selected

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- Council will contact those residents who requested a smaller tree be informed that trees will be planted in the second quarter of 2010.
 - Trees will not be planted for those residents who did not wish to have a tree.
- (d) That where Council does have an ongoing program of tree planting in its Capital Works Program, and where it is practicable a percentage of these trees be from provenance stock so they can be planted in streets and parks where they would contribute to conservation areas or wildlife corridors.
- (e) That where it is practicable, the native trees used for the Street Tree Planting Program be sourced from seed from local reserves and grown up as tube stock. Where appropriate, the tube stock may be grown by a local native plant specialist grower. Where appropriate, the tube stock may then be grown by a nursery to provide advanced trees for street planting.

ON BEING PUT TO THE MEETING THE AMENDMENT WAS DECLARED **CARRIED** THEREBY BECOMING THE MOTION.

Record of Voting:

For the Amendment: The Mayor, Councillor Butterworth, Councillors Petch, Pickering, Salvestro-Martin, Maggio, Yedelian, Etmekdjian, Perram and Campbell.

Against the Amendment: Councillors Tagg and Li.

ON BEING PUT TO THE MEETING THE MOTION WAS DECLARED **CARRIED**.

RESOLUTION: (Moved by Councillors Perram and Pickering)

- (a) That the report of the Manager - Open Space, dated 2/09/2009 on STREET TREE PROGRAM - Progress to Date, be received and noted.
- (b) That the Bushland and Environs Advisory Committee of Ryde recommendation as detailed below be used as guide only by Council staff;
- “That all non local native trees and exotic trees proposed in the 2009-11 Street Tree Program and identified to Council by representatives of the Ryde Environment Group and Ryde Hunters Hill Fauna and Flora Protection Society in their letter of 25 March 2009 and discussions with Council Officer on 26 March 2009 be replaced by locally occurring, appropriate native trees submitted by Ryde Environment Group and the Society to Council on 25 and 26 March 2009.”
- (c) That the residents of Dan, Greene, Delange, Callaghan, Cutler, Glenayr and Doomben Streets be thanked for their participation and advised:
- Trees will be planted in the second quarter of 2010 for those residents who agreed with the species selected

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- Council will contact those residents who requested a smaller tree be informed that trees will be planted in the second quarter of 2010.
 - Trees will not be planted for those residents who did not wish to have a tree.
- (d) That where Council does have an ongoing program of tree planting in its Capital Works Program, and where it is practicable a percentage of these trees be from provenance stock so they can be planted in streets and parks where they would contribute to conservation areas or wildlife corridors.
- (e) That where it is practicable, the native trees used for the Street Tree Planting Program be sourced from seed from local reserves and grown up as tube stock. Where appropriate, the tube stock may be grown by a local native plant specialist grower. Where appropriate, the tube stock may then be grown by a nursery to provide advanced trees for street planting.

Record of Voting:

For the Motion: The Mayor, Councillor Butterworth, Councillors Petch, Pickering, Salvestro-Martin, Maggio, Yedelian, Etmekdjian, Li, Perram and Campbell.

Against the Motion: Councillor Tagg.

4 MAJOR PROJECT CONCEPT PLAN APPLICATION No. MP09_0029 TO CONSTRUCT A MIXED USE DEVELOPMENT AT 63-77 WEST PARADE, WEST RYDE - COUNCIL SUBMISSION

RESOLUTION: (Moved by Councillors Petch and Campbell)

- (a) That the report of the Client Manager and the City Urban Designer, dated 17/09/2009 on MAJOR PROJECT CONCEPT PLAN APPLICATION No. MP09_0029 TO CONSTRUCT A MIXED USE DEVELOPMENT AT 63-77 WEST PARADE, WEST RYDE - COUNCIL SUBMISSION , be received and noted.
- (b) That a submission be prepared in the light of the issues and concerns detailed in this report and submitted to the Department of Planning.

Record of Voting:

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

Against the Motion: Councillors Tagg and Maggio.

5 91-93 WHARF ROAD, MELROSE PARK - Future Use Options

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MOTION: (Moved by Councillors Yedelian and Etmekdjian)

- (a) That the report of the Property Manager - Development, dated 08 September 2009 on 91-93 WHARF ROAD, MELROSE PARK - Future Use Options, be received and noted.
- (b) That Council seek expressions of interest from community groups to renovate at their cost and occupy the building.

AMENDMENT: (Moved by Councillors Campbell and Salvestro-Martin)

- (a) That the report of the Property Manager - Development, dated 08 September 2009 on 91-93 WHARF ROAD, MELROSE PARK - Future Use Options, be received and noted.
- (b) That this matter be deferred until the Service Mapping Project has been completed and reported to Council.

ON BEING PUT TO THE MEETING THE AMENDMENT RECEIVED FIVE (5) VOTES FOR AND SIX (6) VOTES AGAINST AND WAS DECLARED **LOST**.

Record of Voting:

For the Amendment: The Mayor, Councillor Butterworth, Councillors Tagg, Campbell, Li and Salvestro-Martin.

Against the Amendment: Councillors Etmekdjian, Yedelian, Pickering, Petch, Perram and Maggio.

ON BEING PUT TO THE MEETING THE MOTION WAS DECLARED **CARRIED**.

RESOLUTION: (Moved by Councillors Yedelian and Etmekdjian)

- (a) That the report of the Property Manager - Development, dated 08 September 2009 on 91-93 WHARF ROAD, MELROSE PARK - Future Use Options, be received and noted.
- (b) That Council seek expressions of interest from community groups to renovate at their cost and occupy the building.

Record of Voting:

For the Motion: Councillors Etmekdjian, Salvestro-Martin, Yedelian, Pickering, Petch, Perram and Maggio.

Against the Motion: The Mayor, Councillor Butterworth, Councillors Tagg, Campbell and Li.

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6 ADVISORY COMMITTEE MINUTES- Crime Prevention 20 August 2009

Note: Councillor Li left the meeting, the time being 10.20pm and was not present for consideration of Items 6 and 7.

RESOLUTION: (Moved by Councillors Pickering and Yedelian)

- (a) That the report of the Manager - Community and Culture, dated 24/09/2009 on ADVISORY COMMITTEE MINUTES- Crime Prevention 20 August 2009 , be received and noted.
- (b) That the minutes of the Crime Prevention Advisory Committee meeting held on 20 August 2009 be received and noted.

Record of Voting:

For the Motion: Unanimous.

7 REPORT ON ICLEI WORLD CONGRESS AND TOUR - 14 JUNE 2009 TO 24 JUNE 2009

RESOLUTION: (Moved by Councillors Campbell and Petch)

That the report of the Manager - The Environment, dated 23/07/2009 on REPORT ON ICLEI WORLD CONGRESS AND TOUR - 14 JUNE 2009 TO 24 JUNE 2009 be received and noted.

Record of Voting:

For the Motion: Unanimous.

Note: Councillor Li returned to the meeting, the time being 10.23pm .

8 ANNUAL TENDERS - Preferred Contractors for the Provision of Minor Works

RESOLUTION: (Moved by Councillors Petch and Etmekdjian)

- (a) That the report of the Manager - Operations, dated 30/09/2009 on ANNUAL TENDERS - Preferred Contractors for the Provision of Minor Works, be received and noted.
- (b) That all 36 conforming tenders listed below be accepted and that contractors be engaged in the order of lowest tendered price category first, to the highest

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tendered price category last, depending upon satisfactory performance and availability.

A J Paving (Kizan P/L)
All About Pipes
Allbuild (NSW) P/L
Ally Property Services Pty Ltd
Anzellotti Constructions P/L
Aqua-Assets P/L
Aranac (Contracting) P/L
Avoca Constructions (NSW) P/L
Barron Transport P/L
Barry Bros Specialised Services
Boss NSW P/L
C W Concrete P/L
CMS Construction Maintenance Solutions P/L
Collective Civil P/L
Devcon Civil P/L
Guidance Road Management
ITS Trenchless P/L
JA Bradshaw Civil Contracting P/L
Kelbon Project Services
KK Civil Engineering
Kodi Civil P/L
Mastercut Concrete Aust P/L
Mid West Excavations P/L
MJ Smooth Concreting Services P/L
North Shore Paving Co P/L
On Line Pipe & Cable Locating
Pave-Link P/L
Performance Concrete P/L
Sam the Paving Man
Sewer Services P/L
Sorrento Constructions P/L
South West Kerbing
The Australian Grinding Company
Total Drain Cleaning Services P/L
Veolia Water Network Services
Workforce Road Services P/L

(c) That the tenders submitted from the following late or non-conforming tenders not be accepted and advised accordingly:

- RIPA Concrete Cutting Pty Ltd (late)

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- Platinum Civil Pty Ltd (late)
- Dean's Concrete Services Pty Ltd (non conforming)

(d) That the accepted tenderers provide details of the required insurance (i.e. Public Liability and Workers' Compensation), and other conforming documents for approval within fourteen (14) days from the date of acceptance of the Tender.

Record of Voting:

For the Motion: Unanimous.

9 TENDER - Sole Professional Coaching Rights at the Ryde Aquatic Leisure Centre - COR-RFT 13/09

RESOLUTION: (Moved by Councillors Petch and Etmekdjian)

- (a) That the report of the Centre Manager, dated 28/09/2009 on TENDER - Sole Professional Coaching Rights at the Ryde Aquatic Leisure Centre - COR-RFT 13/09, be received and noted.
- (b) That the Tender COR-RFT 13/09 for the provision of Sole Professional Coaching Rights during peak Times at the Ryde Aquatic Leisure Centre be awarded to the preferred tenderer.
- (c) That the unsuccessful tenderer be advised of Council's decision.

Record of Voting:

For the Motion: Unanimous.

10 ANNUAL TENDERS - Tender for Hire of Plant

RESOLUTION: (Moved by Councillors Petch and Pickering)

- (a) That the report of the Co-ordinator Plant & Fleet, dated 24/09/2009 on ANNUAL TENDERS - Tender for Hire of Plant, be received and noted.
- (b) That the tenders for hiring of plant until 31 October 2009 from the following tenderers be accepted on an "as required" basis for the indicated category of plant:

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Tenderer	Category of Plant
A & A Hire Services	1, 3, 4, 6, 7
Action Recovery Services	11
Active Tipper Hire Pty. Ltd.	4, 6
All Purpose Plant Hire	8
Allards Plant Hire Pty. Ltd.	1, 2, 3, 4, 5, 6, 7, 10, 12
Argyle Excavations Pty Ltd	4, 6, 7
Barren Transport Pty Ltd	6, 7
Basement Civil Pty Ltd	4, 6, 7
Coates Hire Operations Pty Ltd	10, 12
Complete Hire	10, 12
Conplant Pty Ltd	10
D G Johnson Excavations Pty Ltd	2, 4
Dinamo Pty. Ltd.	4, 6, 7
F C G Australia Pty Ltd	4, 8
G & R D Chong Pty. Ltd.	9
G N & L Martini Earthmoving Pty Ltd	4
Hickeys Earthmoving Pty Ltd	4, 8
Jam Haulage Pty Ltd	8
Ken Coles Excavations Pty. Ltd.	2, 3, 4, 5, 6, 7
Level & Load Plant Hire	6, 7
M P Schultz Excavations	4
Mainline Underground Services Pty. Ltd.	3, 4
R & K Johnson Excavations	4
Raygal Pty Ltd	3, 5, 6, 7
Rick Davis Contracting Pty. Ltd.	4
Stephensons Cranes Pty Ltd	11
Supreme Earthmoving Pty. Ltd	4
The Watercart Specialist Pty Ltd	5
Universal Mobile Tower Hire	12
V M C Truck & Plant Hire	6, 7
Vanra Pty Ltd	6
W & D Elliott Earthmoving Pty Ltd	4
Watercarts Direct	5

- (c) That the preferred contractors be advised that the work will be allocated to them on an “as required” basis, following consideration at the time of the following factors: type of work, price, availability, previous workmanship, relevant expertise, previous service provided to the residents and previous compliance to safety requirements.
- (d) That the non-complying tenderers be advised of the Council’s decision.

Tenderer

Advance Plant Hire
 Busicom Solutions Pty Ltd
 Kingston Plant Hire
 Waterview Excavations Pty Ltd

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Record of Voting:

For the Motion: Unanimous.

CLOSED SESSION

RESOLUTION: (Moved by Councillors Tagg and Campbell)

That the Committee resolve into Closed Session to consider a confidential staff matter.

Record of Voting:

For the Motion: Unanimous.

Note: The Committee closed the meeting at 10.29pm. The public and media left the room. All staff left the meeting with the exception of the General Manager, Manager Risk and Audit, and Senior Administration Coordinator.

MATTER OF URGENCY - MAYORAL MINUTE**1 GENERAL MANAGER'S RECRUITMENT****Confidential**

This item is classified CONFIDENTIAL under Section 10A(2)(a) of the Local Government Act, which permits the meeting to be closed to the public for business relating to personnel matters concerning particular individuals (other than Councillors).

RESOLUTION: (Moved by the Mayor, Councillor Butterworth and Councillor Tagg)

That the Mayoral Minute, dated 6 October 2009 submitted to Council on 6 October 2009, and all actions contained therein, be adopted as resolutions of Council.

Record of Voting:

For the Motion: The Mayor, Councillor Butterworth, Councillors Petch, Pickering, Maggio, Tagg, Campbell, Perram, Etmekdjian and Yedelian.

Against the Motion: Councillors Salvestro-Martin and Li.

OPEN SESSION

RESOLUTION: (Moved by Councillors Tagg and Campbell)

That the Committee resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous.

Note: Open Council resumed at 10.35pm.

On resuming business in Open Council, the Mayor and the General Manager formally reported the business transacted in Closed Session.

RESOLUTION: (Moved by Councillors Tagg and Campbell)

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

Record of Voting:

For the Motion: Unanimous.

The meeting closed at 10.35pm.

CONFIRMED THIS 3rd DAY OF NOVEMBER 2009.

Chairperson

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General Manager

Mayor