

Council Meeting

MINUTES OF MEETING NO. 18/08

Meeting Date: Tuesday, 21 October 2008
Location: Council Chambers, Sixth Floor,
Civic Centre, 1 Devlin Street, Ryde
Time: 7.30pm

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

Apology: Nil

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

ACKNOWLEDGEMENT OF COUNTRY

The City of Ryde acknowledges and pays respects to the many clans of the Eora nation on whose traditional lands this City is located and this meeting is being held.

PRAYER

The Mayor, Councillor Tagg offered prayer prior to the commencement of the meeting.

CONFIRMATION OF MINUTES

RESOLUTION: (Moved by Councillors Campbell and Petch)

That the Minutes of the Council Meeting No. 16/08 held on 7 October 2008, be confirmed with the following amendments to Item 4 of the General Manager's Report No 18/08 ADVISORY AND EXTERNAL COMMITTEES:-

Minutes of the Council Meeting No. 08/08, dated 21 October 2008.

Community Harmony Reference Group

Chairperson: The Mayor, Councillor Tagg

Delegates: The Mayor, Councillor Tagg and Councillors Campbell, Etmekdjian, Li, O'Donnell, Petch and Yedelian.

Ryde Safe Communities Steering Committee

Chairperson: Councillor Campbell

Delegates: Councillors Butterworth, Campbell, Li, Maggio and O'Donnell.

Sports Council

Chairperson: The Mayor, Councillor Tagg

Delegates: The Mayor, Councillor Tagg and Councillors Yedelian, Maggio and Pickering.

Record of Voting

For the Motion: Unanimous

RESOLUTION: (Moved by The Mayor, Councillor Tagg and Councillor Li)

That the Minutes of the Extra-Ordinary Council Meeting No. 17/08 held on 10 October 2008, be confirmed.

Record of Voting

For the Motion: Unanimous

SUSPENSION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Yedelian and Butterworth)

That standing orders be suspended to allow a petition to be tabled from residents requesting the installation of a bus shelter in Badajoz Road across the road from the corner of Callaghan and Milne Streets.

Record of Voting

For the Motion: Unanimous

RESUMPTION OF STANDING ORDERS

RESOLUTION:(Moved by Councillors Petch and Campbell)

That standing orders be resumed. The time being 7.36pm.

Record of Voting

For the Motion: Unanimous

DISCLOSURES OF INTEREST

There were no disclosures of interest.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

No addresses were made to Council.

MAYORAL MINUTES**1 RECOGNITION OF LOCAL MEMBERS OF PARLIAMENT**

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

- (a) That the Hon. John Howard MP, former Prime Minister and Member for Bennelong; the Hon. John Watkins MP, former Deputy Premier and Member for Ryde, and Mr Andrew Tink MP, former Member for Epping be invited to the 2009 Australia Day Citizenship ceremony so that we can publicly thank them for their contribution to the City of Ryde
- (b) That Council formally write to the past prominent local leaders and officially recognise and thank them for their dedication and service to the citizens of Ryde

Record of Voting

For the Motion: Unanimous

2 MAYORAL COMMUNITY CHRISTMAS CELEBRATION

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

That the establishment of a Mayoral Community Christmas Celebration be supported and be funded from savings achieved by altering the format of the traditional Mayoral Christmas Dinner.

Record of Voting

For the Motion: Unanimous

MINUTES OF THE PUBLIC FACILITIES & SERVICES COMMITTEE NO.08/08 - PART A - ITEMS TO BE DETERMINED BY COUNCIL**3 HOFFMAN PARK – Request for Tree Pruning**

RESOLUTION: (Moved by Councillors Perram and Campbell)

- (a) That the report of the Manager - Parks, dated 1 October 2008 on a request for tree pruning at Hoffman Park, be received and noted.
- (b) That the branch of the subject tree be pruned and all endeavours be taken to retain as much of the branch as possible.
- (c) That a letter be sent to the resident who requested the pruning of the subject tree advising of the decision.

Record of Voting

For the Motion: Unanimous

7 TRIAL RECYCLING PROGRAM – Compact Florescent Lamps

RESOLUTION:(Moved by Councillors Perram and Petch)

- (a) That the briefing report of the Waste Education Officer dated 7 October 2008 on “Trial Recycling Program – Compact Florescent Lamps” be received and noted.
- (b) That the proposed Compact Florescent Lamps Recycling Program be approved on a twelve (12) month trial basis.

- (c) That residents be notified of the trial recycling program in the next rates notice and via other Council advertising and the City of Ryde website.
- (d) That there be a review of the program at the conclusion of the trial period.

Record of Voting

For the Motion: Unanimous

8 MELVILLE AND GOODWIN STREET (PROPOSED ROUNDABOUT) – Review of Community Feedback

RESOLUTION: (Moved by Councillors Perram and Petch)

- (a) That the report of the Senior Traffic & Development Construction Engineer, dated 30 September 2008 on the “Melville and Goodwin Street (Proposed Roundabout) – Review of Community Feedback” be received and noted.
- (b) That subject to the endorsement of the Ryde Traffic Committee:
 - (i) Council approves the installation of the roundabout at the intersection of Goodwin and Melville Street, West Ryde with additional signage “Changed Traffic Conditions Ahead (T1-23)”
 - (ii) Residents in the vicinity of this intersection, and petitioners, be advised of Council’s decision and staff endeavour to meet personally with the immediate adjacent residents in relation to the final design.

Record of Voting

For the Motion: Unanimous

MINUTES OF THE DEVELOPMENT COMMITTEE NO.07/08

RESOLUTION: (Moved by Councillors Pickering and Yedelian)

That the Development Committee’s Report No. 07/08 dated 14 October 2008 be received and adopted as a resolution of Council without any alteration or amendment thereto.

Record of Voting

For the Motion: Unanimous

Minutes of the Council Meeting No. 18/08, dated 21 October 2008.

GENERAL MANAGER'S REPORT NO.18/08**1 REGISTERS - Power of Attorney and Common Seal**

RESOLUTION: (Moved by Councillors Perram and Petch)

That the report of the Executive Assistant to the General Manager, dated 16 October 2008 on the Power of Attorney and Common Seal registers be received and noted.

Record of Voting

For the Motion: Unanimous

2 COUNCILLOR WORKSHOPS

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

That the report of the Manager Councillor Services, dated 16 October 2008 on the Councillor Workshops, be received and noted.

Record of Voting

For the Motion: Unanimous

3 DRAFT RYDE DEVELOPMENT CONTROL PLAN (DCP) 2008 – Exhibition of Plan

RESOLUTION: (Moved by Councillors Petch and Butterworth)

- (a) That the report titled Draft Ryde Development Control Plan (DCP) 2008 - Exhibition of Plan, dated 11 October 2008 on Draft Ryde DCP 2008, be received and noted.
- (b) That Draft DCP 2008 be placed on public exhibition in accordance with the requirements of the Environmental Planning and Assessment Act 1979.
- (c) That a report be prepared for Council's consideration following the exhibition period of draft DCP 2008

Record of Voting

For the Motion: Unanimous

4 DRAFT RYDE LOCAL ENVIRONMENTAL PLAN 2008 – Exhibition of Plan

RESOLUTION: (Moved by Councillors Petch and Butterworth)

- (a) That the report titled Draft Ryde Local Environmental Plan 2008 – Exhibition of Plan, dated 11 October 2008 on Draft Ryde LEP 2008, be received and noted.
- (b) That Draft Ryde Local Environmental Plan 2008 be placed on exhibition and that the consultation process, in accordance with the requirements for the exhibition of draft local environmental plans as specified by the Environmental Planning and Assessment Act 1979, be undertaken.

Record of Voting

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

Against the Motion: Councillor Pickering.

5 INVESTMENT REPORT – AUGUST/SEPTEMBER 2008

RESOLUTION: (Moved by Councillors Perram and Petch)

- (a) That the report of the Chief Financial Officer, dated 16 October 2008, on Investment Report – August / September 2008, be received and endorsed by Council.
- (b) That Council endorse the Investment Report being submitted to the Council meeting held on the fourth Tuesday of each month

Record of Voting

For the Motion: Unanimous

6 ADVICE ON COURT ACTIONS

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

That consideration of this item be dealt with in Closed Session at a later stage of the meeting.

Record of Voting

For the Motion: Unanimous

7 PROPERTY ACQUISITION

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

That consideration of this item be dealt with in Closed Session at a later stage of the meeting.

Record of Voting

For the Motion: Unanimous

NOTICES OF MOTION**1 THE FORMER ST ANDREWS CHURCH SITE****Motion:**

“That the General Manager report to the Public Facilities and Services Committee the outcome of investigations as to whether the owner of the vacant land at the corner of Rutledge and Trelawney Streets Eastwood, the former St Andrews Church site, would permit the property to be used temporarily for car parking and if so, the practicality of Council pursuing that course of action.”

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

That the General Manager report to the Public Facilities and Services Committee the outcome of investigations as to whether the owner of the vacant land at the corner of Rutledge and Trelawney Streets Eastwood, the former St Andrews Church site, would permit the property to be used temporarily for car parking and if so, the practicality of Council pursuing that course of action.

Record of Voting

For the Motion: Unanimous

2 REVIEW OF PARKING ENFORCEMENT PRACTICES

Motion:

“That the General Manager report to the Committee of the Whole on a review of parking enforcement practices undertaken by Council rangers in commercial areas, advising the extent to which current practices are in accordance with the adopted code and whether any changes to the code are appropriate in the interests of greater fairness.”

WITH THE CONCURRENCE OF THE MOVER THE MOTION WAS AMENDED AND IT WAS RESOLVED AS FOLLOWS:-

RESOLUTION: (Moved by Councillors Perram and Petch)

That the General Manager report to the Committee of the Whole on a review of parking enforcement practices undertaken by Council rangers in commercial areas, advising the extent to which current practices are in accordance with the adopted code and whether any changes to the code are appropriate.

Record of Voting

For the Motion: Unanimous

3 DROP OFF OR PICK UP AREA IN THE EASTWOOD TOWN CENTRE

Motion:

“That the General Manager report to the Public Facilities and Services Committee on the availability of locations in the Eastwood Town Centre, for motorists to lawfully drop off or pick up passengers, without firstly having to find a vacant formal parking space.”

WITH THE CONCURRENCE OF THE MOVER THE MOTION WAS AMENDED AND IT WAS RESOLVED AS FOLLOWS:-

RESOLUTION: (Moved by Councillors Perram and Yedelian)

That the General Manager report to the Public Facilities and Services Committee on the availability of locations initially in the Eastwood Town Centre followed by other town centres, for motorists to lawfully drop off or pick up passengers, without firstly having to find a vacant formal parking space.

Record of Voting

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

Against the Motion: Councillor Salvestro-Martin

NOTICES OF RESCISSION

There were no Notices of Rescission.

QUESTIONS BY COUNCILLORS AS PER POLICY

There were no questions.

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

No addresses were made to Council.

CONSIDERATION OF ANY BUSINESS IN CLOSED SESSION**CLOSED SESSION**

Note: Discussion on Item 6 – Advice on Court Actions and Item 7 – Property Acquisition of the General Manager's Report were considered in Closed Session, to the exclusion of the press and public.

These matters are classified CONFIDENTIAL under section 10A(2) (c) and (g) of the Local Government Act, which permits the meeting to be closed to the public for business relating to the following:

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.

It was not in the public interest for this verbal legal advice to be made known to persons who may have an interest in this matter as it could prejudice Council's defence in a Court of Law.

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,

This item is listed as confidential as it concerns information that would, if disclosed, confer a Commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Furthermore, it is considered that discussion of this item in open meeting would on balance, be contrary to the public interest as it would unduly affect Council's ability to negotiate the proposed purchase.

Minutes of the Council Meeting No. 18/08, dated 21 October 2008.

RESOLUTION: (Moved by Councillors Petch and Butterworth)

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 9.20pm. The public and media left the chamber.

6 ADVICE ON COURT ACTIONS

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

That the report of the General Counsel dated 16 October 2008 on the Court Actions, be received and noted.

Record of Voting:

For the Motion: Unanimous

7 PROPERTY AQUISITION

RESOLUTION: (Moved by Councillors Yedelian and Petch)

- (a) That the report of the Manager Buildings & Property, dated 16 October 2008 on a possible property acquisition and providing various alternatives available to Council to progress the matter, be received and noted.
- (b) That the General Manager be authorised to enter into negotiations with the party mentioned in the report to establish a strategic alliance with the objective of the property being acquired for a community group/community use.
- (c) That a further report be provided to Council before any agreement is signed.

Record of Voting

For the Motion: Councillors Yedelian, Etmekdjian, Perram, Pickering, Li and Petch.

Against the Motion: The Mayor, Councillor Tagg and Councillors O'Donnell, Maggio, Campbell, Salvestro-Martin and Butterworth.

As the voting on the MOTION was 6-all, the Mayor gave his CASTING VOTE IN FAVOUR OF THE MOTION AND THE MOTION WAS DECLARED CARRIED.

OPEN SESSION

RESOLUTION: (Moved by Councillors Petch and Yedelian)

That Council resolve itself into Open Council.

Record of Voting:

For the Motion: Unanimous

Note: Open Council resumed at 10.15pm.

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

NATIONAL ANTHEM

The National Anthem was sung at the conclusion of the meeting.

The meeting closed at 10.16pm.

CONFIRMED THIS 11th DAY OF NOVEMBER 2008

Chairperson