

Council Meeting

MINUTES OF MEETING NO. 8/09

Meeting Date: Tuesday 26 May 2009
Location: Council Chambers, Level 6
Time: 7.30pm

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

Apologies: Nil

Councillors Li and Campbell left the meeting at 10.23 and 10.35pm respectively and were not present for consideration of Item 9 – Advice on Court Items.

Staff Present: General Manager, Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, Media & Community Relations Officer and Senior Administration Co-ordinators. The Senior Financial Officer was present until 9.15pm following consideration of Item 3 of the General Manager's Report No. 08/09.

PRAYER

Pastor Richard Quadrio of the Macquarie Chapel Church was present and offered a prayer prior to the commencement of the meeting.

CONFIRMATION OF MINUTES

RESOLVED: (Moved by Councillors Petch and Pickering)

That the Minutes of the Ordinary Meeting No. 7/09 held on 12 May 2009 be confirmed.

Record of Voting:

For the Motion: Unanimous

Minutes of the Council Meeting No. 8/09, dated 26 May 2009.

DISCLOSURES OF INTEREST

Councillor Li disclosed a pecuniary interest in Item 9 – ADVICE ON COURT ACTION of the General Manager's Report No. 08/09, for the reason that his employer is acting in one of the matters under consideration.

SUSPENSION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Butterworth and Perram)

That standing orders be suspended to allow Councillor Butterworth to present a petition to Council.

Record of Voting:

For the Motion: Unanimous

At this stage of the meeting, the time being 7.35pm, Councillor Butterworth presented a petition from residents against sports field lighting of Dunbar Park, a copy of which is **ON FILE**.

RESUMPTION OF STANDING ORDERS

Standing orders were resumed at 7.36pm.

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

No addresses were made to Council.

MAYORAL MINUTES

There are no Mayoral Minutes.

MINUTES OF THE PUBLIC FACILITIES & SERVICES COMMITTEE NO.06/09 - PART A - ITEMS TO BE DETERMINED BY COUNCIL**2 BRUSH FARM PARK AND LAMBERT PARK PLAN OF MANAGEMENT - Recommendation for Adoption**

RESOLUTION:: (Moved by Councillors Perram and Petch)

- (a) That the report of the Co-ordinator Natural Areas, dated 7/05/2009 on BRUSH FARM PARK AND LAMBERT PARK PLAN OF MANAGEMENT - Recommendation for Adoption, be received and noted.
- (b) That staff consider the submission the Committee received and make any minor amendments or corrections to the document.

Minutes of the Council Meeting No. 8/09, dated 26 May 2009.

- (c) Subject to (b) above the Brush Farm Park and Lambert Park draft Plan of Management (dated May 2009) be adopted by Council.
- (d) That the entries for Brush Farm Park and Lambert Park in the Generic Plan of Management be removed.
- (e) That the draft Plan of Management be forwarded to the Minister for Lands for consideration, and adoption under the Crown Lands Act 1989.

Record of Voting:

For the Motion: Unanimous

3 TREE MANAGEMENT APPEAL - 8/35 Gaza Road

RESOLUTION: (Moved by Councillors Perram and Petch)

- (a) That the report of the Manager - Parks, dated 6 April 2009 on TREE MANAGEMENT APPEAL – 8/35 Gaza Road, be received and noted.
- (b) That the Tree Management Appeal be approved.
- (c) That the property owner provides information from an appropriate consultant that clearly demonstrates that the roots from the *Eucalyptus saligna* are the cause of the observed structural damage to the building before the matter will be reconsidered by Council.

Record of Voting:

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

Against the Motion: Councillor Campbell

4 RYDE TRAFFIC COMMITTEE - Minutes of Meeting held 7 May 2009

RESOLUTION: (Moved by Councillors Perram and Petch)

- (a) That the report of the Manager - Access, dated 12/05/2009 on RYDE TRAFFIC COMMITTEE - Minutes of Meeting held 7 May 2009, be received and adopted as resolutions of Council with the following amendments:
- (b) **MIN No. 72 (10) TOP RYDER BUS SERVICE :
Modifications to Existing Route**

Minutes of the Council Meeting No. 8/09, dated 26 May 2009.

It was recommended:

- (a) That Council notes the information contained within this report.
- (b) That Council approves the proposed changes to the route as detailed in this report.
- (c) That new bus stops be installed at the following locations subject to the concurrence of affected residences/businesses:
 - i. Railway Road, Meadowbank
 - ii. Ross Smith Avenue, Meadowbank;
 - iii. Ashburn Place, Gladesville
- (d) That the existing bus stops specifically for the 'Top Ryder' bus service be removed at the following locations:
 - i. Ryde Hospital Medical Centre;
 - ii. Thomas Bowden Retirement Village
- (e) That Council's Manager, The Environment research the feasibility of extending the 'Top Ryder' bus service into Halcyon Street, Gladesville and to service the Ryde Ex-Services Club, Ryde
- (f) That consideration be given to service provision to Parkes Street

(c) **MIN NO. 81 (19) CLANALPINE STREET, EASTWOOD**
Request for Driveway Delineation Lines

It was recommended:

- (a) That no action be taken to install driveway delineation lines for a distance of 0.5 metres on both sides of property driveways of Clanalpine Street, Stewart Street and Trelawney Street south of Rutledge Street, at this stage.
- (b) That the situation be monitored.
- (c) That the matter be reviewed in 6 months

(d) **MIN No. 89 (27) BANK STREET, MEADOWBANK**
Request for "Resident Parking Permit" and Pedestrian Crossing.

It was recommended:

- (a) That Council notes the information contained within this report.
- (b) That the request for a Resident Parking Scheme in Bank Street not be acceded to.
- (c) That Council's Regulatory Team be requested to undertake periodic surveillance of parking compliance along Bank Street.
- (d) That delineation lines be installed in Bank Street south of Meadow Crescent.

Record of Voting:

For the Motion: Unanimous

6 PROVISION OF BUBBLERS IN PUBLIC DOMAIN AREAS AND MAJOR PARKS

RESOLUTION: (Moved by Councillors Perram and Petch)

- (a) That the report of the Manager Landscape Assets, dated 13/05/2009 on PROVISION OF BUBBLERS IN PUBLIC DOMAIN AREAS AND MAJOR PARKS, be received and noted.
- (b) That water bubblers be installed at the following locations in association with any future upgrades of these parks or public domain areas:
 - Eastwood Mall;
 - West Ryde Village Square;
 - Anzac Park;
 - Blenheim Park;
 - Christie Park;
 - Eastwood Park (Lower Field);
 - Gannan Park.
 - Marsfield Park; and
 - Santa Rosa Park.
- (c) That an appropriation be made under the Parks Infrastructure Budget for the provision of bubblers, in the most efficient manner and where possible, using existing infrastructure, as outlined in (b) above.
- (d) That twelve months after the installation of the bubblers outlined in (b) above a further report be provided to Council.

Record of Voting:

For the Motion: Unanimous

7 TOWN CENTRES - Drop-off or Pick-up Areas within West Ryde Town Centre, Gladesville, Cox's Road, Putney, Meadowbank, Midway and Fiveways

RESOLUTION: (Moved by Councillors Perram and Petch)

- (a) That the report of the Senior Traffic Engineer, dated 13/05/2009 on TOWN CENTRES - Drop-off or Pick-up Areas within West Ryde Town Centre, Gladesville, Cox's Road, Putney, Meadowbank, Midway and Fiveways, be received and noted.
- (b) A further report be submitted to the Public Facilities and Services Committee on Drop off and Pick up areas for Top Ryde Town Centre in February 2010,

Minutes of the Council Meeting No. 8/09, dated 26 May 2009.

following completion of Stage 1 of the Top Ryde Shopping Centre.

- (c) That the issue of allowing Drop-Off or Pick-up Areas for West Ryde Station, Charles Street, Putney and Morrison Road, Putney be referred to the Traffic Committee.
- (d) That 'Kiss and Drop' signs be added to 'No Parking' signage in the Town Centres.

Record of Voting:

For the Motion: Unanimous

10 ADVISORY COMMITTEE MINUTES - Crime Prevention meeting, held on 16 April 2009

RESOLUTION: (Moved by Councillors Perram and Petch)

- (a) That the report of the Road and Community Safety Project Officer , dated 8/05/2009 on ADVISORY COMMITTEE MINUTES - Crime Prevention meeting, held on 16 April 2009, be received and noted.
- (b) That the Minutes of the Crime Prevention Advisory Committee held on 16 April 2009 be received and noted.
- (c) That further information on the Graffit-e-Nose product, such as results of trials, costs and potential locations be reported to Council.
- (d) That the CCTV Discussion Paper be distributed to all Councillors electronically.
- (e) That an update be provided regarding Project VIEW and that it be presented to Committee of the Whole.

Record of Voting:

For the Motion: Unanimous

GENERAL MANAGER'S REPORTS**1 REGISTERS - Power of Attorney and Common Seal**

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

That the report of the Executive Assistant - General Manager, dated 19 May 2009 on REGISTERS - Power of Attorney and Common Seal, be received and noted.

Record of Voting:

For the Motion: Unanimous

2 COUNCILLOR WORKSHOPS

RESOLUTION: (Moved by Councillors Yedelian and Perram)

That the report of the Group Manager - Corporate Services, dated 11/05/2009 on COUNCILLOR WORKSHOPS, be received and noted.

Record of Voting:

For the Motion: Unanimous

3 INVESTMENT REPORT - APRIL 2009

RESOLUTION: (Moved by Councillors Pickering and Perram)

(a) That the report of the Chief Financial Officer, dated 18/05/2009 on INVESTMENT REPORT - APRIL 2009, be received and noted.

(b) That at the issuance of the next rates notices, Council include a further update to City of Ryde residents regarding Council's financial position including the current position in respect to Council's investments.

Record of Voting:

For the Motion: Unanimous

4 MARSFIELD PARK - Rabbit Proof Fence

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

That the report of the Manager Landscape Assets, dated 20 May 2009 on MARSFIELD PARK - Rabbit Proof Fence, be received and noted.

Record of Voting:

For the Motion: Unanimous

5 COMMUTER PARKING - North Western Sydney Region

MOTION: (Moved by Councillors Pickering and Yedelian)

- (a) That the report of the Group Manager - Public Works, dated 20 May 2009 on COMMUTER PARKING - North Western Sydney Region, be received and noted.
- (b) That the General Manager write to the Minister for Transport on behalf of the City of Ryde expressing concerns with regard to the cancellation of the North West Metro and North West Rail Link Projects, and requesting that more resources be allocated to improving public transport (and access to it) in North Western Sydney.
- (c) That the City of Ryde refer this matter to NSROC for its consideration, in respect to the cancellation of the North West Metro and North West Rail Link Projects, and requesting that more resources be allocated to improving public transport (and access to it) in North Western Sydney seeking their support.

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

- (a) That the report of the Group Manager - Public Works, dated 20 May 2009 on COMMUTER PARKING - North Western Sydney Region, be received and noted.
- (b) That the City of Ryde reply to Hornsby Shire Council recommending that this matter be referred to NSROC for consideration.

Record of Voting:

For the Amendment: Councillors Butterworth, Campbell, O'Donnell and Salvestro-Martin.

Against the Amendment: The Mayor, Councillor Tagg and Councillors Etmekdjian, Li, Maggio, Petch, Perram, Pickering and S Yedelian.

ON BEING PUT TO THE MEETING THE AMENDMENT WAS DECLARED **LOST.**

RESOLUTION: (Moved by Councillors Pickering and Yedelian)

- (a) That the report of the Group Manager - Public Works, dated 20 May 2009 on COMMUTER PARKING - North Western Sydney Region, be received and noted.
- (b) That the General Manager write to the Minister for Transport on behalf of the City of Ryde expressing concerns with regard to the cancellation of the North West Metro and North West Rail Link Projects, and requesting that more resources be allocated to improving public transport (and access to it) in North Western Sydney.
- (c) That the City of Ryde refer this matter to NSROC for its consideration, in respect to the cancellation of the North West Metro and North West Rail Link Projects, and requesting that more resources be allocated to improving public transport (and access to it) in North Western Sydney seeking their support.

Record of Voting:

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

Against the Motion: Councillors Butterworth, Campbell, O'Donnell and Salvestro-Martin.

6 MACQUARIE PARK TRAFFIC AND TRANSPORTATION TECHNICAL WORKING GROUP - Status Report No. 1

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

- (a) That the report of the Manager - Access, dated 20 May 2009 on MACQUARIE PARK TRAFFIC AND TRANSPORTATION TECHNICAL WORKING GROUP - Status Report No. 1, be received and noted.
- (b) That Council write to the presenters to the Councillor Workshop held on 12

Minutes of the Council Meeting No. 8/09, dated 26 May 2009.

May 2009, thanking them for their participation.

Record of Voting:

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

Against the Motion: Councillor Butterworth

7 TENDER - COR-RFT- 03/09 - Design and Construction of Boardwalks in Bushland - Buffalo Creek - Field of Mars Reserve.

RESOLUTION: (Moved by Councillors Maggio and Pickering)

Note: Correspondence from the Ryde-Hunter's Hill Flora and Fauna Preservation Society was tabled and a copy is ON FILE.

- (a) That the report of the Co-ordinator Capital Works (Urban Landscapes), dated 20 May 2009 on TENDER - COR-RFT-03/09 - Design and Construction of Boardwalks in Bushland - Buffalo Creek - Field of Mars Reserve., be received and noted.
- (b) That the tender submitted by Fleetwood Engineering Pty Ltd for COR-RFT - 03/09 – Design and Construction of Boardwalks in Bushland - Buffalo Creek - Field of Mars for \$627,220 (excl GST) be accepted.
- (c) That the unsuccessful Tenderers be advised of Council's decision.
- (d) That Council staff provide information to the Ryde-Hunter's Hill Flora and Fauna Preservation Society and the Field of Mars Education Centre with regard to delivery of this project, ensuring that the timeframes agreed with the Federal Government are maintained.

Record of Voting:

For the Motion: Unanimous

8 JOINT REGIONAL PLANNING PANELS - Request by the Minister for Planning for nominations of Council representatives.

MOTION: (Moved by Councillors Butterworth and Campbell)

- (a) That Council formally nominate the Mayor (and one Councillor delegate as an alternate) and the General Manager (and Group Manager Environment & Planning as an alternate) as members of the Joint Regional Planning Panel (JRPP),
- (b) That the General Manager informs the Minister for Planning of the nominations.

AMENDMENT: (Moved by Councillor O'Donnell and Campbell)

That this matter be deferred for consideration at the Committee of the Whole Meeting to be held on Tuesday, 2 June 2009.

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

Record of Voting:

For the Amendment: Unanimous

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

That this matter be deferred for consideration at the Committee of the Whole Meeting to be held on Tuesday, 2 June 2009.

Record of Voting:

For the Motion: Unanimous

9 ADVICE ON COURT ITEMS**RECOMMENDATION:** (Moved by Councillors Butterworth and Pickering)

That consideration of this matter be dealt with in Closed Session at the end of the meeting

Record of Voting:For the Motion:

Unanimous

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

There are no Precis of Correspondence for Consideration

NOTICES OF MOTION**1 WORKSHOP: Managing through turbulent times - Councillor Jeff Salvestro-Martin****MOTION:** (Moved by Councillors Salvestro-Martin and Butterworth)

1. That, as an adjunct to the very effective Federal Government Financial Stimulus package and as a means of further assisting local business cope with the Global Economic Crisis, the General Manager arrange with the NSW Government Department of State and Regional Development (DSRD) to conduct the Workshop "Managing through Turbulent Times" at Ryde.
2. That the General Manager present to Council for its consideration, a list of other DSRD workshops that might equally be of assistance to local business.

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

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

1. That as part of the City of Ryde economic development strategy and as a means of further assisting local business cope with the Global Economic Crisis, the General Manager arrange with the NSW Government Department of State and Regional Development (DSRD) to conduct the Workshop "Managing through Turbulent Times" at Ryde.
2. That the General Manager present to Council for its consideration, a list of

Minutes of the Council Meeting No. 8/09, dated 26 May 2009.

other DSRD workshops that might equally be of assistance to local business.

3. That the General Manager, in the delivery of this initiative, work closely with the Ryde Business Forum as the umbrella organisation of all the Ryde Local Government Area Chambers of Commerce.
4. The General Manager liaise with neighbouring Councils to work co-operatively on this venture.

Record of Voting:

For the Motion: Unanimous

2 OLD EASTWOOD MOBIL STATION - Councillor Li

MOTION: (Moved by Councillors Li and Butterworth)

That the General Manager investigates as to whether the owner of the closed Mobil Station at the corner of Rutledge Street & Trelawney Street, Eastwood, would permit the site be used temporarily for car parking, and report the outcome of the discussions to Council.

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

RESOLUTION: (Moved by Councillors Li and Butterworth)

That the General Manager investigates as to whether:

- (a) the owner of the closed Mobil Station at the corner of Rutledge Street & Trelawney Street, Eastwood, and
- (b) the owner of the former Complete Hardware site on the opposite side of the train station in Rowe Street

would permit the site be used temporarily for car parking, and report the outcome of the discussions to Council.

Record of Voting:

For the Motion: Unanimous

3 EAST RYDE SCOUTS - JOHN MILLER STREET, RYDE - Councillor Roy Maggio

MOTION: (Moved by Councillors Maggio and Butterworth)

That the City Of Ryde Council recognise the East Ryde Scout Volunteers on their 50th anniversary by a presentation of a Plaque by the Mayor and Councillors, as an acknowledgement of the commitment of the scouting community and their contribution to our City.

Further, provide assistance, where necessary, in undertaking works to the driveway at Council's community facility at John Miller Street, Ryde to ensure safe and proper access is provided, that will be a benefit to all current and future users of this facility.

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

RESOLUTION: (Moved by Councillors Maggio and Butterworth)

1. That the City Of Ryde Council recognise the East Ryde Scout Volunteers on their 50th anniversary by presentation of a Plaque by the Mayor and Councillors, as an acknowledgement of the commitment of the scouting community and their contribution to our City.
2. That the General Manager provide a report to the Committee of the Whole Meeting to be held on Tuesday, 2 June regarding maintenance issues at the community facility at John Miller Street, Ryde.

Record of Voting:

For the Motion: Unanimous

4 CENTRALISED DATABASE - USERS OF CITY OF RYDE GROUNDS AND FACILITIES - Councillor Roy Maggio

MOTION: (Moved by Councillors Maggio and Pickering)

That the General Manager provide a report to Council on the concept of creating a centralised database; with the initial phase of this initiative, requiring all sporting clubs utilising City of Ryde grounds and facilities to provide details of all their members as a mandatory condition of their licence/seasonal hire

Minutes of the Council Meeting No. 8/09, dated 26 May 2009.

agreement.

All stakeholders are to be consulted in this process and the report is to detail the timeframe for the implementation of this system

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

That the General Manager provide a report to Council, including any potential legal issues and the financial impact, on the concept of creating a centralised database with a view to this resource being used as a tool for managing the hiring of City of Ryde facilities.

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

Record of Voting:

For the Amendment: Unanimous

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

That the General Manager provide a report to Council, including any potential legal issues and the financial impact, on the concept of creating a centralised database with a view to this resource being used as a tool for managing the hiring of City of Ryde facilities.

Record of Voting:

For the Motion: Unanimous

NOTICES OF RESCISSION

1 STAFF MATTER - The Mayor, Councillor Tagg, Councillor Pickering, Councillor Maggio

The rescission motion was **WITHDRAWN** by The Mayor, Councillor Tagg, and Councillors Pickering and Maggio.

QUESTIONS BY COUNCILLORS AS PER POLICY

There are no Questions by Councillors as per Policy

Minutes of the Council Meeting No. 8/09, dated 26 May 2009.

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

No addresses were made to Council.

CLOSED SESSION**ITEM 9 – ADVICE ON COURT ACTIONS****Confidential**

This item is classified CONFIDENTIAL under Section 10A(2)(g) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following:

- (g) advice concerning litigation, or advice as comprises a discussion of the matter that would otherwise be privileged from production in legal proceedings on the group of legal professional privilege.

This matter is classified confidential because it contains advice concerning legal matters that are:-

- (a) substantial issues relating to a matter to which the Council is involved.
- (b) clearly identified in the advice; and
- (c) fully discussed in that advice.

It is not in the public interest to reveal all details of this matter as it would prejudice Council's position in any court proceedings.

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

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

Record of Voting:

For the Motion: Unanimous

Councillor Li left the meeting at 10.23pm having declared a pecuniary interest in this Item.

Councillor Campbell left the meeting at 10.35pm and was not present for consideration of the following Item 9 – Advice on Court Items.

9 ADVICE ON COURT ITEMS**RECOMMENDATION:** (Moved by Councillors Perram and Pickering)

That the report of the General Counsel, dated 18 May 2009 on ADVICE ON COURT ACTIONS, be received and noted.

Record of Voting:

For the Motion: Unanimous

OPEN SESSION**RESOLUTION:** (Moved by Councillors Pickering and Perram)

That Council resolve itself into open Council.

Record of Voting:

For the Motion:

Note: Open Council resumed at 10.45pm

On resuming business in Open Council all Councillors were present in the Chamber with the exception of Councillor Campbell.

The General Manager formally reported the business transacted in Closed Session.

RESOLUTION: (Moved by Councillors Perram and Yedelian)

That 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

NATIONAL ANTHEM

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

The meeting closed at 10.47 pm.

CONFIRMED THIS 9TH DAY OF JUNE 2009

Chairperson