

Council Meeting

MINUTES OF MEETING NO. 19/11

Meeting Date: Tuesday 8 November 2011
Location: Council Chambers, Level 6
Time: 7.30pm

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

Councillor Li arrived at the meeting at 8.02pm and was not present for Suspension of Standing Orders.

Apologies: Nil.

Staff Present: General Manager, Acting Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, General Counsel, Manager – Strategy and Organisation Development, Manager – Risk and Audit, Manager – Assessment, Manager – Environment, Manager – Customer Service, Acting Chief Financial Officer, Community Engagement & Social Media Manager, Team Leader – Major Developments, Team Leader – Assessment, Media & Community Relations Officer and Acting Manger – Governance.

PRAYER

Pastor Steve Cooper of the Eastwood Baptist Church was present and offered prayer prior to the commencement of the meeting.

DISCLOSURES OF INTEREST

Councillor Salvestro-Martin disclosed a less than significant non-pecuniary interest in Notice of Motion 4 – Rotary Health Hat Day of the Council's Report No. 19/11, for the reason that he is a member of Rotary.

Councillor Tagg disclosed a less than significant non-pecuniary interest in Notice of Motion 4 – Rotary Health Hat Day of the Council's Report No. 19/11, for the reason that he is a member of Rotary.

SUSPENSION OF STANDING ORDERS

Note: Councillor Li was not present for this Item.

RESOLUTION: (Moved by Councillors Maggio and Pickering)

That Standing Orders be suspended to allow consideration of the Notices of Motion at the conclusion of the Public Participation on Items Listed on the Agenda, the time being 7.35pm.

Record of Voting:

For the Motion: Unanimous

PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA

Councillor Li arrived at 8.02pm, during Public Participation.

The following persons addressed the Council:-

Topic	Name
NOTICE OF MOTION 1 – SKATEBOARD CLINICS FOR ALL AGES AND ABILITIES IN THE CITY OF RYDE	Mr Brad Shaw Mr Hayden Evans (representing the Ryde Youth Advisory Council) Mr Nathan Hope Mr Nathan Taylor
NOTICE OF MOTION 2 – COMMEMORATIVE PLAQUE AT THE RYDE AQUATIC LEISURE CENTRE	Mr Terry Wilson (representing Ryde-Carlile Swimming Club)
NOTICE OF MOTION 3 – PARKING IN THE AREA SURROUNDING DICKSON AVENUE, WEST RYDE	Mr Joseph Fodera (representing the residents of Dickson Avenue, West Ryde)
NOTICE OF MOTION 6 – TERMS OF REFERENCE OF THE RYDE CIVIC PRECINCT COMMITTEE	Ms Denise Pendleton Ms Sheryl Barton Mr Noel Plumb (representing the Ryde Environment Group)

NOTICES OF MOTION

1 SKATEBOARD CLINICS FOR ALL AGES AND ABILITIES IN THE CITY OF RYDE - Councillor Roy Maggio

Note: Mr Brad Shaw, Mr Hayden Evans (representing the Ryde Youth Advisory Council), Mr Nathan Hope and Mr Nathan Taylor addressed the meeting in relation to this Item.

MOTION: (Moved by Councillors Maggio and O'Donnell)

- (a) That Council prepare a report within a month that identifies a suitable venue for a skateboard clinic to be conducted during the school holiday period. This report should also include estimated costs to Council, identify any insurance risks or liabilities and the process that would be required to engage interested parties to organise and promote skateboard clinics for all ages and abilities in the City of Ryde.
- (b) That Council endorse the establishment of a "Wheeled Sports Advisory Committee" whose specific purpose will be to work with the Ryde Youth Council to investigate potential options for developing a skate park and any other wheeled sports facilities in the City of Ryde, with all terms of references consistent with Council Policy.

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

- (a) That Council prepare a report that identifies a suitable venue for a skateboard clinic to be conducted during the school holiday period. This report should also include estimated costs to Council, identify any insurance risks or liabilities and the process that would be required to engage interested parties to organise and promote skateboard clinics for all ages and abilities in the City of Ryde.
- (b) That Council endorse participation of the skateboard community into either the Ryde Youth Council or the Ryde Sports and Recreation Committee.

RESOLUTION: (Moved by Councillors Pickering and Campbell)

That the Amendment be dealt with in Seriatim.

Record of Voting:

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

Against the Motion: Councillors Petch, Salvestro-Martin and Tagg

The Amendment was then dealt with in Seriatim.

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

- (a) That Council prepare a report that identifies a suitable venue for a skateboard clinic to be conducted during the school holiday period. This report should also include estimated costs to Council, identify any insurance risks or liabilities and the process that would be required to engage interested parties to organise and promote skateboard clinics for all ages and abilities in the City of Ryde.

Part (a) of the Amendment was put and **CARRIED** thereby becoming the Motion.

Record of Voting:

For the Amendment: Councillors Butterworth, Li, Perram, Petch, Pickering, Salvestro-Martin and Tagg

Against the Amendment: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell and Yedelian OAM

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

- (b) That Council endorse participation of the skateboard community into either the Ryde Youth Council or the Ryde Sports and Recreation Committee.

Part (b) of the Amendment was put and **CARRIED** thereby becoming the Motion.

Record of Voting:

For the Amendment: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Li, Perram, Petch, Salvestro-Martin and Tagg

Against the Amendment: Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

RECOMMITTAL OF NOTICE OF MOTION 1 – Amendment Part (a)

RESOLUTION: (Moved by Councillors Pickering and Maggio)

That Part (a) of the Amendment in relation to Notice of Motion 1 – Skateboard Clinics for All Ages and Abilities in the City of Ryde be recommitted.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Butterworth, Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Li, Perram, Petch, Salvestro-Martin and Tagg

Part (a) of the Amendment was then recommitted.

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

- (a) That Council prepare a report that identifies a suitable venue for a skateboard clinic to be conducted during the school holiday period. This report should also include estimated costs to Council, identify any

insurance risks or liabilities and the process that would be required to engage interested parties to organise and promote skateboard clinics for all ages and abilities in the City of Ryde.

On being put to the Meeting, the voting on Part (a) of the Amendment was six (6) all. The Mayor used his casting vote Against Part (a) of the Amendment. Part (a) of the Amendment was **LOST**.

Record of Voting:

For the Amendment: Councillors Butterworth, Li, Perram, Petch, Salvestro-Martin and Tagg

Against the Amendment: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM.

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

That Council endorse participation of the skateboard community into either the Ryde Youth Council or the Ryde Sports and Recreation Committee.

AMENDMENT: (Moved by Councillors Petch and Butterworth)

- (a) That Council approach Hunters Hill Council with a view to conducting a skateboard clinic over the coming Christmas holiday period.
- (b) That Council prepare a report that identifies a suitable venue for a skateboard clinic to be conducted during the school holiday period. This report should also include estimated costs to Council, identify any insurance risks or liabilities and the process that would be required to engage interested parties to organise and promote skateboard clinics for all ages and abilities in the City of Ryde.
- (c) That Council endorse participation of the skateboard community into either the Ryde Youth Council or the Ryde Sports and Recreation Committee.

MOTION: (Moved by Councillors Tagg and Perram)

That the Amendment be dealt with in Seriatim.

On being put to the Meeting, the voting on the Motion was six (6) all. The Mayor used his casting vote Against the Motion. The Motion was **LOST**.

Record of Voting:

For the Motion: Councillors Butterworth, Li, Perram, Petch, Salvestro-Martin and Tagg

Against the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

AMENDMENT: (Moved by Councillors Petch and Butterworth)

- (a) That Council approach Hunters Hill Council with a view to conducting a skateboard clinic over the coming Christmas holiday period.
- (b) That Council prepare a report that identifies a suitable venue for a skateboard clinic to be conducted during the school holiday period. This report should also include estimated costs to Council, identify any insurance risks or liabilities and the process that would be required to engage interested parties to organise and promote skateboard clinics for all ages and abilities in the City of Ryde.
- (c) That Council endorse participation of the skateboard community into either the Ryde Youth Council or the Ryde Sports and Recreation Committee.

On being put to the Meeting, the voting on the Amendment was six (6) all. The Mayor used his casting vote Against the Amendment. The Amendment was **LOST**.

Record of Voting:

For the Amendment: Councillors Butterworth, Li, Perram, Petch, Salvestro-Martin and Tagg

Against the Amendment: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

AMENDMENT: (Moved by Councillors Pickering and Maggio)

- (a) That Council prepare a report within a month that identifies a suitable venue for a skateboard clinic to be conducted during the school holiday period. This report should also include estimated costs to Council, identify any insurance risks or liabilities and the process that would be required to engage interested parties to organise and promote skateboard clinics for all ages and abilities in the City of Ryde.
- (b) That Council endorse the establishment of a "Wheeled Sports Advisory Committee" whose specific purpose will be to work with the Ryde Youth Council to investigate potential options for developing a skate park and any other wheeled sports facilities in the City of Ryde, with all terms of references consistent with Council Policy.

On being put to the Meeting, the voting on the Amendment was six (6) all. The Mayor used his casting vote For the Amendment. The Amendment was **CARRIED** thereby becoming the Motion.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Perram, Petch, Salvestro-Martin and Tagg

RESOLUTION: (Moved by Councillors Pickering and Maggio)

- (a) That Council prepare a report within a month that identifies a suitable venue for a skateboard clinic to be conducted during the school holiday period. This report should also include estimated costs to Council, identify any insurance risks or liabilities and the process that would be required to engage interested parties to organise and promote skateboard clinics for all ages and abilities in the City of Ryde.
- (b) That Council endorse the establishment of a "Wheeled Sports Advisory Committee" whose specific purpose will be to work with the Ryde Youth Council to investigate potential options for developing a skate park and any other wheeled sports facilities in the City of Ryde, with all terms of references consistent with Council Policy.

On being put to the Meeting, the voting on the Motion was six (6) all. The Mayor used his casting vote For the Motion. The Motion was **CARRIED**.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Perram, Petch, Salvestro-Martin and Tagg

2 COMMEMORATIVE PLAQUE AT THE RYDE AQUATIC LEISURE CENTRE - Councillor Roy Maggio

Note: Mr Terry Wilson (representing the Ryde-Carlile Swimming Club) addressed the meeting in relation to this Item.

MOTION: (Moved by Councillors Maggio and Yedelian OAM)

That Council endorses the concept of a Commemorative Plaque to be displayed at the Ryde Aquatic Leisure Centre incorporating an engraved photograph as well as written information honouring the dedication of Forbes and Ursula Carlile have given to the sport of swimming in Ryde and embarking on the 50th Year Anniversary of the Ryde Carlile Swimming Club.

AMENDMENT: (Moved by Councillors Tagg and Butterworth)

That Council endorses the concept of a Commemorative Plaque to be displayed at the Ryde Aquatic Leisure Centre incorporating an engraved photograph as well as written information honouring the dedication of Forbes and Ursula Carlile have given to the sport of swimming in Ryde and embarking on the 50th Year Anniversary of the Ryde Carlile Swimming Club. The Plaque is also to contain the names of Shane Gould, Karen Moras and Jenny Turrell.

On being put to the Meeting, the Amendment was **LOST** there being two (2) votes For and ten (10) votes Against. The Motion was then put.

Record of Voting:

For the Amendment: Councillors Butterworth and Li

Against the Amendment: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Perram, Petch, Pickering, Salvestro-Martin, Tagg and Yedelian OAM

RESOLUTION: (Moved by Councillors Maggio and Yedelian OAM)

That Council endorses the concept of a Commemorative Plaque to be displayed at the Ryde Aquatic Leisure Centre incorporating an engraved photograph as well as written information honouring the dedication of Forbes and Ursula Carlile have given to the sport of swimming in Ryde and embarking on the 50th Year Anniversary of the Ryde Carlile Swimming Club.

Record of Voting:

For the Motion: Unanimous

**3 PARKING IN THE AREA SURROUNDING DICKSON AVENUE, WEST RYDE
- Councillor Roy Maggio**

Note: Mr Joseph Fodera (representing the residents of Dickson Avenue, West Ryde) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Maggio and Li)

Noting the concerns regarding traffic in and around Dickson Avenue, West Ryde that following conclusion of the Resident Survey on traffic calming devices (due to conclude on 11 November) that this matter be referred to the Ryde Traffic Committee for consideration of the residents views and identification of traffic management options.

Record of Voting:

For the Motion: Unanimous

4 ROTARY HEALTH HAT DAY - Councillor Victor Tagg

Note: Councillor Salvestro-Martin disclosed a less than significant non-pecuniary interest in this Item for the reason that he is a member of Rotary.

Note: Councillor Tagg disclosed a less than significant non-pecuniary interest in this Item for the reason that he is a member of Rotary.

RESOLUTION: (Moved by Councillors Tagg and Butterworth)

- (a) That Ryde Council investigate ways to support the Rotary Health Hat Day next year and promote through the Mayor's Column, Council's website and Ryde City View.
- (b) That this matter be referred to the Status of Women's Advisory Committee for inclusion in their schedule of Health Seminars and advice back to Council on options for supporting this event.

Record of Voting:

For the Motion: Unanimous

5 MEN'S SHED - Councillor Gabrielle O'Donnell

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

That the General Manager, in consultation with local community organisations, investigate the feasibility of setting up a Men's Shed and report back to Council.

Record of Voting:

For the Motion: Unanimous

6 TERMS OF REFERENCE OF THE RYDE CIVIC PRECINCT COMMITTEE - Councillor Michael Butterworth

Note: Ms Denise Pendleton, Ms Sheryl Barton and Mr Noel Plumb (representing the Ryde Environment Group) addressed the meeting in relation to this Item.

RESOLUTION: (Moved by Councillors Butterworth and Petch)

In the interests of transparency and accountability, Council amend the Terms of Reference of the Ryde Civic Precinct Committee so that:

1. The Committee meets as required and no less than every two months.

2. Meetings of the Committee are advertised on Council's website and in the Mayor's column.
3. The Agenda of the Committee be available on Council's website prior to the meetings being held.
4. Full Minutes of the meetings be published on Council's website.

Record of Voting:

For the Motion: Unanimous

ORDER OF BUSINESS - SUSPENSION OF STANDING ORDERS

RESOLUTION: (Moved by The Mayor, Councillor Etmekdjian and Councillor Petch)

That Standing Orders remain suspended to allow consideration of Item 8 – 2010-2011 Financial Statements and Item 9 – Investment Report – September 2011, the time being 10.04pm.

Record of Voting:

For the Motion: Unanimous

8 2010-2011 FINANCIAL STATEMENTS

Note: The Acting Chief Financial Officer provided a powerpoint presentation on the 2010-2011 Financial Statements.

RESOLUTION: (Moved by Councillors Butterworth and Petch)

- (a) That in accordance with Section 419 of the Local Government Act, Council receive and note the Auditors Reports on the 2010/2011 Annual Financial Statements for the year ended 30 June 2011.
- (b) That any public submissions on the 2010/2011 Financial Reports be referred to Council's Auditors, Hill Rogers Spencer Steer, Chartered Accountants.
- (c) That Council suspend standing orders to allow a presentation by Council's staff and any comments by or questions of the external auditor, Hill Rogers Spencer Steer or members of the Audit Committee, in respect of the 2010/2011 Financial Statements including the Auditor's Reports.
- (d) That as detailed in this report, the amount of \$1,367,972 be transferred from the Employee Leave Entitlement Reserve to the Asset Replacement Reserve.

Record of Voting:

For the Motion: Unanimous

9 INVESTMENT REPORT - September 2011

RESOLUTION: (Moved by Councillors Petch and Campbell)

- (a) That the report of the Chief Financial Officer, dated 11 October 2011 on INVESTMENT REPORT – September 2011, be endorsed.
- (b) That Council notes the Global Protected Property Note V11, that matured in September 2011 returned the principal of \$1 million, however no interest was paid on maturity.

Record of Voting:

For the Motion: Unanimous

RESUMPTION OF STANDING ORDERS

RESOLUTION: (Moved by Councillors Petch and Campbell)

That Council resume Standing Orders, the time being 10.45pm.

Record of Voting:

For the Motion: Unanimous

COUNCIL REPORTS

1 CONFIRMATION OF MINUTES - Council Meeting held on 11 October 2011

RESOLUTION: (Moved by Councillors Petch and Tagg)

That the Minutes of the Council Meeting 16/11, held on Tuesday 11 October 2011, be confirmed noting that Councillors Tagg and Butterworth left the meeting as the extension of time had elapsed.

Record of Voting:

For the Motion: Unanimous

2 CONFIRMATION OF MINUTES - Extraordinary Council Meeting held on 18 October 2011

RESOLUTION: (Moved by Councillors Petch and Campbell)

That the Minutes of the Extraordinary Council Meeting 17/11, held on Tuesday 18 October 2011, be confirmed.

Record of Voting:

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

Against the Motion: Councillor Tagg

3 CONFIRMATION OF MINUTES - Extraordinary Council Meeting held on 27 October 2011

RESOLUTION: (Moved by Councillors Petch and Campbell)

That the Minutes of the Extraordinary Council Meeting 18/11, held on Thursday, 27 October 2011, be confirmed.

Record of Voting:

For the Motion: Unanimous

4 REPORT OF PLANNING AND ENVIRONMENT COMMITTEE MEETING 13/11 held on 18 October 2011

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

That Council note that Items 1, 2 and 3 of the Planning and Environment Committee report were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

5 REPORT OF PLANNING AND ENVIRONMENT COMMITTEE MEETING 14/11 held on 1 November 2011

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

That Council determine Items 2 and 3 of the Planning and Environment Committee report, noting that Item 1 was dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

2 4, 6 & 8 ANGAS STREET, MEADOWBANK. LOTS 1, 2 and 3 DP 14964. Local Development Application for demolition and construction of a residential flat development containing 40 apartments and parking for 62 cars. LDA2011/0376.

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

(a) That Local Development Application No. 2011/0376 at 4, 6 and 8 Angas Street, Meadowbank being LOTS 1, 2 and 3 DP 14964 be approved subject to the **ATTACHED** conditions (Attachment 1) with the exception of an amendment to Condition 37 to reflect the new CPI figures released on 27 October 2011 as follows:-

37. **Section 94 Contribution.** A contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of the Construction Certificate.

A	B
Community & Cultural Facilities	\$109,143.89
Open Space & Recreation Facilities	\$134,344.73
Civic & Urban Improvements	\$ 91,386.59
Roads & Traffic Management Facilities	\$ 12,465.79
Cycleways	\$ 7,786.43
Stormwater Management Facilities	\$ 24,749.49
Plan Administration	\$ 2,099.49
The total contribution is \$381,976.41	

This contribution is a contribution under the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development Contributions Plan 2007 (2010 Amendment) adopted by City of Ryde on 16 March 2011.

The above amount, if not paid within the quarter that the consent is granted, shall be adjusted for inflation by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) on the basis of the contribution rates that are applicable at time of payment.

(b) That the persons who made submissions be advised of Council's decision.

Record of Voting:

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

Against the Motion: Councillors Butterworth, Salvestro-Martin and Tagg

COMPLETION OF BUSINESS

RESOLUTION: (Moved by Councillors Petch and Campbell)

That the meeting time be extended to deal with Items 6, 7, 11, 13, 16 and 17, the time being 11.02pm.

On being put to the Meeting, the voting on the Motion was six (6) all. The Mayor used his casting vote For the Motion. The Motion was **CARRIED**.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Butterworth, Li, Perram, Petch, Salvestro-Martin and Tagg

3 29 TRAMWAY STREET, WEST RYDE. LOT 9 DP 8283. Local Development Application for Demolition, multi dwelling housing (attached) consisting of 4 units & strata subdivision. LDA 2011/0167.

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

- (a) That this application be deferred to allow the applicant to submit amended plans addressing the issues of concern raised at the Planning and Environment Committee Meeting including site levels, finished floor levels and courtyards, privacy, protection of vegetation, overland flow and the provision of boundary fencing.
- (b) That the adjoining neighbours be notified of the amended plans and that a further report be provided to the next practicable Planning and Environment Committee Meeting after the end of the notification period.

Record of Voting:

For the Motion: Unanimous

At this stage of the meeting, Councillors Butterworth, Li, Perram, Petch, Salvestro-Martin and Tagg left the meeting at 11.06pm. Due to a lack of a quorum, the meeting was adjourned.

ADJOURNMENT

In accordance with Clause 2.5.1 of the Code of Meeting Practice, The Mayor, Councillor Etmekdjian (Chairperson) adjourned the Council Meeting as a quorum was not present, the time being 11.06pm. The Council Meeting was adjourned to:

Tuesday, 15 November 2011 at 7.30pm in the Council Chambers, Level 6 of the Civic Centre, 1 Devlin Street, Ryde.

The following Councillors were present: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM.

The following Councillors had left the meeting: Councillors Butterworth, Li, Perram, Petch, Salvestro-Martin and Tagg.

MEETING RECONVENED

The Meeting reconvened at 7.30pm on Tuesday, 15 November 2011 in the Council Chambers, Level 6 of the Civic Centre, 1 Devlin Street, Ryde.

The following Councillors were present:

The Mayor, Councillor Etmekdjian, Councillors Campbell, Li, Maggio, O'Donnell, Perram, Petch, Pickering, Salvestro-Martin, Tagg and Yedelian OAM.

Apologies: Councillor Butterworth.

Chair: The Mayor, Councillor Etmekdjian assumed the Chair.

Staff Present: General Manager, Group Manager – Community Life, Acting Group Manager – Corporate Services, Group Manager – Environment and Planning, Acting Group Manager – Public Works, General Counsel, Manager – Assessment, Community Engagement & Social Media Manager, Media and Community Relations Officer, Acting Manager – Governance and Councillor Support Coordinator.

DISCLOSURES OF INTEREST

Councillor Petch disclosed a significant non-pecuniary interest in Item 18 – Deferred Report: Potential Development Partnership Arrangement for Coulter Street Car Park of the Council's Report No. 19/11, and verbally provided the reason that he is a life member of the client.

MAYORAL MINUTES

MM14/11 DEFERRED MAYORAL MINUTE - GENERAL MANAGER'S PERFORMANCE REVIEW 2011

RESOLUTION: (Moved by The Mayor, Councillor Etmekdjian and Councillor Salvestro-Martin)

That Council consider the **ATTACHED** Confidential reports in Closed Session and make a determination in accordance with those reports.

Record of Voting:

For the Motion: Unanimous

SUSPENSION OF STANDING ORDERS

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

That Standing Orders be suspended to allow consideration of Item 18 being deferred and re-listed in open forum at the next Council meeting to be held on 22 November 2011, the time being 7.40pm.

Record of Voting:

For the Motion: Councillors Li, O'Donnell, Perram, Petch, Salvestro-Martin and Tagg

Against the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, Pickering and Yedelian OAM

RESUMPTION OF STANDING ORDERS

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

That Council resume Standing Orders, the time being 7.45pm.

Record of Voting:

For the Motion: Unanimous

6 REPORT OF WORKS AND COMMUNITY COMMITTEE - Meeting 15/11 held on 18 October 2011

RESOLUTION: (Moved by Councillors Perram and Li)

That Council note that Items 1 and 2 of the Works and Community Committee report were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

7 REPORT OF WORKS AND COMMUNITY COMMITTEE - Meeting 16/11 held on 1 November 2011

RESOLUTION: (Moved by Councillors Perram and Li)

That Council note that Items 1 and 2 of the Works and Community Committee report were dealt with by the Committee within its delegated powers.

Record of Voting:

For the Motion: Unanimous

8 2010-2011 FINANCIAL STATEMENTS

Note: This Item was considered earlier in the Meeting as detailed in these Minutes.

9 INVESTMENT REPORT – September 2011

Note: This Item was considered earlier in the Meeting as detailed in these Minutes.

10 TOP RYDER COMMUNITY BUS SERVICE, CONTINUATION OF SERVICE

RESOLUTION: (Moved by Councillors Yedelian OAM and Li)

- (a) That Council approve an extension of the Top Ryder Community Bus Service to 30 June 2013.
- (b) That an adjustment be made to the December review of the 2011/12 budget for the sum of \$55,000 to cover Council costs during the operation of the service for the remainder of this year.
- (c) That a report be prepared to investigate the merits of Council expanding the Top Ryder bus service to include operating hours on Sundays and for the bus routes to include Marsfield and Macquarie University.

Record of Voting:

For the Motion: Unanimous

11 TENDER FOR PROFESSIONAL SERVICES / CONSULTANTS - DEVELOPMENT ASSESSMENT. Establishment of a Panel of Preferred and Alternate Consultants.

RESOLUTION: (Moved by Councillors Campbell and Pickering)

That Council endorse the selected Consultants identified in the Panel of Preferred and Alternate Consultants to be used on a rotational basis, subject to satisfactory performance, for a period of three (3) years.

Record of Voting:

For the Motion: Unanimous

12 FEE/CHARGE ESTABLISHMENT FOR LIBRARY PUBLICATION

RESOLUTION: (Moved by Councillors Campbell and Yedelian OAM)

- (a) That the fee/charge of \$10.40 for the purchase of *Sweet and Savoury Family Recipes* be publicly exhibited for a period of not less than 28 days from 9 November to 6 December 2011.
- (b) That a further report be presented to Council for consideration after the exhibition period, should any submissions be made.
- (c) If no submissions are made it is recommended that the price be confirmed by Council and the sale of the book proceed without the requirement of a further report to Council.
- (d) That this publication be advertised in the Mayor's Column, Ryde City View and on Council's Website.

Record of Voting:

For the Motion: Unanimous

13 MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF RYDE AND MACQUARIE UNIVERSITY

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

- (a) That Council endorse the Draft Memorandum of Understanding (MOU) with Macquarie University as ATTACHED to this report.
- (b) That Council delegate to the General Manager the authority to make any minor adjustments that may be necessary in finalising the Draft Memorandum of Understanding.

- (c) That the Mayor and General Manager be authorised to affix the Seal of Council to the Memorandum of Understanding on behalf of the City of Ryde.
- (d) That provision be made for Councillor participation.

Record of Voting:

For the Motion: Unanimous

14 SUPPORT FOR ABORIGINAL STUDENTS IN NSROC AREA

MOTION: (Moved by Councillors Petch and Maggio)

- (a) That the City of Ryde continues to work with Marsden High School to explore project partnership options with Aboriginal students.
- (b) That Council provide relevant funding and grant information to high schools regarding Aboriginal education initiatives.
- (c) That Council write to the Minister for Aboriginal Affairs and member for Ryde, the Hon. Victor Dominello M.P. to put the issue of ongoing funding for an Aboriginal Education Worker at Marsden High School before the Minister for Education, the Hon. Adrian Piccoli M.P.

AMENDMENT: (Moved by Councillors Campbell and Yedelian OAM)

- (a) That the City of Ryde continues to work with Marsden High School to explore project partnership options with Aboriginal students.
- (b) That Council provide relevant funding and grant information to high schools regarding Aboriginal education initiatives.
- (c) That Council write to the Minister for Aboriginal Affairs and member for Ryde, the Hon. Victor Dominello M.P. to put the issue of ongoing funding for an Aboriginal Education Worker at Marsden High School before the Minister for Education, the Hon. Adrian Piccoli M.P.
- (d) That Council grant a one off financial assistance of \$800 towards the program (Marsden High School Aboriginal Education Initiatives) subject to public notice being given and no objections being received.

The Amendment was put and **LOST** there being five (5) votes For and six (6) votes Against. The Motion was then put and **CARRIED**.

Record of Voting:

For the Amendment: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, Pickering and Yedelian OAM

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

RESOLUTION: (Moved by Councillors Petch and Maggio)

- (a) That the City of Ryde continues to work with Marsden High School to explore project partnership options with Aboriginal students.
- (b) That Council provide relevant funding and grant information to high schools regarding Aboriginal education initiatives.
- (c) That Council write to the Minister for Aboriginal Affairs and member for Ryde, the Hon. Victor Dominello M.P. to put the issue of ongoing funding for an Aboriginal Education Worker at Marsden High School before the Minister for Education, the Hon. Adrian Piccoli M.P.

Record of Voting:

For the Motion: Unanimous

15 GENERAL MANAGER'S PERFORMANCE OBJECTIVES 2011/12

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

- (a) That the attached objectives (see Attachment 1) and associated degree of difficulty scores be adopted as the basis for the General Manager's performance agreement and that the Mayor sign the agreed performance criteria on behalf of Council.
- (b) That the General Manager develop a performance agreement action plan which specifically identifies milestones to be achieved for the agreed objectives within 2 months of this report being adopted and in accordance with Clause 7.4 of the General Managers contract.
- (c) That the General Manager's 2011/12 performance review be conducted in August 2012 in accordance with the methodology utilised for the 2010/11 review.
- (d) That an additional objective (number 13) be included to the General Manager's performance objectives namely that the General Manager demonstrate and maintain a higher level of transparency for the public relating to Councillor information and Council reports.

Record of Voting:

For the Motion: Unanimous

PRECIS OF CORRESPONDENCE FOR CONSIDERATION

There were no Precis of Correspondence for Consideration.

NOTICES OF MOTION

1 SKATEBOARD CLINICS FOR ALL AGES AND ABILITIES IN THE CITY OF RYDE - Councillor Roy Maggio

Note: This Notice of Motion was considered earlier in the Meeting as detailed in these Minutes.

2 COMMEMORATIVE PLAQUE AT THE RYDE AQUATICE LEISURE CENTRE – Councillor Roy Maggio

Note: This Notice of Motion was considered earlier in the Meeting as detailed in these Minutes.

3 PARKING IN THE AREA SURROUNDING DICKSON AVENUE, WEST RYDE – Councillor Roy Maggio

Note: This Notice of Motion was considered earlier in the Meeting as detailed in these Minutes.

4 ROTARY HEALTH HAT DAY – Councillor Victor Tagg

Note: This Notice of Motion was considered earlier in the Meeting as detailed in these Minutes.

5 MEN’S SHED – Councillor Gabrielle O’Donnell

Note: This Notice of Motion was considered earlier in the Meeting as detailed in these Minutes.

6 TERMS OF REFERENCE OF THE RYDE CIVIC PRECINCT COMMITTEE – Councillor Michael Butterworth

Note: This Notice of Motion was considered earlier in the Meeting as detailed in these Minutes.

NOTICES OF RESCISSION

There were no Notices of Rescission.

QUESTIONS BY COUNCILLORS AS PER POLICY

1 QUESTIONS WITH NOTICE - Councillor Michael Butterworth

Note: Councillor Campbell left the meeting at 9.02pm and was not present for consideration and voting on this Item.

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

That the following Questions with Notice and Answers be received and noted.

Record of Voting:

For the Motion: Unanimous

Question 1: **How many staff do we employ?**

Answer 1: Council employs a total of 686 employees, inclusive of part time and casual staff which equates to a FTE of 468.31 noting that this is under Council's approved establishment limit of 490.

Question 2: **Can a break up be provided for the number of staff employed at the three main centres (ie. the Civic Centre, the Argyle Centre and the Meadowbank Works Depot)?**

Answer 2: The approved budgeted full time equivalent positions that are employed at Council's three main locations are:-

Civic Centre:	160
Argyle Centre:	37
Operations Centre:	202

Question 3: **What is the space of the Civic Centre?**

Answer 3: 3,400m² gross floor area (GFA). Also the Argyle Centre has a GFA of 575m² and the Operations Centre (for approx. 62 staff), 970m² GFA. This totals a current GFA of approx. 4,945m².

Question 4: **What is the size of the West Ryde space?**

Answer 4: 707m² on Level 2, including foyer and amenities.

The total available commercial space above the library and at the West Ryde Community Centre is 1,947m² (1,240m² (Level 1A, Library) plus 707m² = 1,947m²). The total space to house Council staff in one location is approx. 5,000m² GFA.

Question 5: How long have both of these spaces been advertised for?

Answer 5: West Ryde, Level 2 – from May 2011
City of Ryde Centre, Level 1A – from April 2011

Council is currently in negotiations with tenants for both of the above locations.

PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA

No addresses were made to Council.

CLOSED SESSION

ITEM 16 - NSROC TENDER 11/11 - Road Surfacing, Patching and Associated Works

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 proposes to conduct) business; AND (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

ITEM 17 - DEFERRED REPORT: TENDER FOR CARTAGE & DISPOSAL OF FILL MATERIAL - COR-RFT-11/11

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 proposes to conduct) business; AND (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

ITEM 18 - DEFERRED REPORT: POTENTIAL DEVELOPMENT PARTNERSHIP ARRANGEMENT FOR COULTER STREET CAR PARK

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 proposes to conduct) business; AND (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

ITEM 19 - DEFERRED REPORT: ADVICE ON COURT ACTIONS

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: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground 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.

ITEM 20 - ADVICE ON COURT ACTIONS

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: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground 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.

MM14/11 – DEFERRED MAYORAL MINUTE - GENERAL MANAGER'S PERFORMANCE REVIEW 2011

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).

Note: Councillor Campbell was not present for consideration and voting on this Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Tagg)

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

Record of Voting:

For the Motion: Unanimous

Note: Councillor Campbell returned to the meeting at 9.04pm.

Note: The Council closed the meeting at 9.04pm. The public and media left the chamber.

16 NSROC TENDER 11/11 - Road Surfacing, Patching and Associated Works

RECOMMENDATION: (Moved by Councillors Pickering and Campbell)

- (a) That Council accepts the tenders from the Companies in the following categories:

Category 1: For Supply, Delivery and Laying of Asphaltic Concrete, and Profiling of Road Pavement works:

- Downer EDI Works Pty Ltd as the preferred contractor
- Boral Asphalt as the alternative contractor

Category 2: For Heavy Patching works:

- AJ Paving Pty Ltd and
- OzPave Pty Ltd as the preferred contractors.
- Downer EDI Works Pty Ltd as the alternative contractor

Category 3: For Crack Sealing:

- SRS Roads as the preferred contractor
- D & M Excavations and Asphaltting Pty Ltd as the alternative contractor

Category 4: For the Supply Only of Asphaltic Concrete Products including Cold Mix:

- Boral Asphalt as the preferred contractor
- Downer EDI Works Pty Ltd as the alternative contractor

Category 5: For Supply and Delivery of Asphaltic Concrete Products including Cold Mix:

- Boral Asphalt as the preferred contractor.
- Downer EDI Works Pty Ltd as the alternative contractor.

- (b) That the unsuccessful tenderers be advised accordingly.

Record of Voting:

For the Motion: Unanimous

17 DEFERRED REPORT: TENDER FOR CARTAGE & DISPOSAL OF FILL MATERIAL - COR-RFT-11/11

RECOMMENDATION: (Moved by Councillors Yedelian OAM and Salvestro-Martin)

- (a) That Benedict Recycling P/L, Earth Exchange P/L and Hi Quality Recycling Services P/L are commissioned for the cartage and disposal of fill.
- (b) That the services of Benedict Recycling P/L, Earth Exchange P/L and Hi Quality Recycling Services P/L be concurrently drawn upon in a way that will result in best outcome and best value to Council.

Record of Voting:

For the Motion: Unanimous

18 DEFERRED REPORT: POTENTIAL DEVELOPMENT PARTNERSHIP ARRANGEMENT FOR COULTER STREET CAR PARK

Note: Councillor Petch disclosed a significant non-pecuniary interest in this Item and verbally provided the reason that he is a life member of the client.

Note: This Item was deferred for re-listing in open forum at the next Council Meeting to be held on 22 November 2011.

ORDER OF BUSINESS

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

That Council consider Items 19 and 20 in conjunction, the time being 9.24pm.

Record of Voting:

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

Against the Motion: Councillor Yedelian OAM

19 DEFERRED REPORT: ADVICE ON COURT ACTIONS

20 ADVICE ON COURT ACTIONS

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

That the reports of the General Counsel be received.

Record of Voting:

For the Motion: Unanimous

**MM14/11 DEFERRED MAYORAL MINUTE - GENERAL MANAGER'S
PERFORMANCE REVIEW 2011**

MOTION: (Moved by The Mayor, Councillor Etmekdjian and Councillor Yedelian OAM)

That the General Manager receive a 2.5% discretionary increase in addition to the 2.5% SOORT increase, on the basis that the General Manager's performance has been assessed as better than satisfactory.

AMENDMENT: (Moved by Councillors Tagg and Perram)

That the General Manager receive the 2.5% SOORT increase.

The Amendment was put and **LOST** there being five (5) votes For and six (6) votes Against.

Record of Voting:

For the Amendment: Councillors Li, Perram, Petch, Salvestro-Martin and Tagg

Against the Amendment: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

FURTHER AMENDMENT: (Moved by Councillors Pickering and Yedelian OAM)

That the General Manager receive a 1.5% discretionary increase in addition to the 2.5% SOORT increase, on the basis that the General Manager's performance has been assessed as better than satisfactory.

The Further Amendment was put and **LOST** there being three (3) votes For and eight (8) votes Against. The Motion was then put and **CARRIED**.

Record of Voting:

For the Amendment: Councillors Pickering, Salvestro-Martin and Tagg

Against the Amendment: The Mayor, Councillor Etmekdjian and Councillors Campbell, Li, Maggio, O'Donnell, Perram, Petch and Yedelian OAM

RECOMMENDATION: (Moved by The Mayor, Councillor Etmekdjian and Councillor Yedelian OAM)

That the General Manager receive a 2.5% discretionary increase in addition to the 2.5% SOORT increase, on the basis that the General Manager's performance has been assessed as better than satisfactory.

Record of Voting:

For the Motion: The Mayor, Councillor Etmekdjian and Councillors Campbell, Maggio, O'Donnell, Pickering and Yedelian OAM

Against the Motion: Councillors Li, Perram, Petch, Salvestro-Martin and Tagg

OPEN SESSION

RESOLUTION: (Moved by Councillors Petch and Maggio)

That Council resolve itself into open Council.

Record of Voting:

For the Motion: Unanimous

Note: Open Council resumed at 9.50pm.

RESOLUTION: (Moved by Councillors Petch and Maggio)

That the recommendations of Items considered in Closed Session be received and adopted as resolutions 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 9.55pm.

CONFIRMED THIS 22ND DAY OF NOVEMBER 2011

Chairperson