

**Council Meeting****MINUTES OF MEETING NO. 8/11**

**Meeting Date:** Tuesday 14 June 2011  
**Location:** Council Chambers, Level 6  
**Time:** 7.30pm

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

**Apologies:** Councillors Butterworth and Pickering.

**Staff Present:** General Manager, Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, Manager – Governance, Manager – Strategy and Organisational Development, Manager Risk & Audit, Chief Financial Officer, Open Space Planner, Corporate Communications Manager, Media & Community Relations Officer and Meeting Support Coordinator.

**PRAYER**

Reverend Nicholas Fried of the Eastwood Uniting Church was present and offered prayer prior to the commencement of the meeting.

**DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**PRESENTATION OF GOLD AUSTRALASIAN REPORTING AWARD**

The General Manager and Ms Louise Downe (Council's Corporate Communications Manager) presented the Gold Australasian Reporting Award to the Mayor. This award was recently won by Council for the 2009/2010 Annual Report.

**PUBLIC PARTICIPATION ON ITEMS LISTED ON THE AGENDA**

The following persons addressed Council:-

<b>No.</b>	<b>Name</b>	<b>Topic</b>
1	Ms Jan Aiello	<b>ITEM 7</b> – Results of the Dog Off Leash Area Trial
2	Ms Jill Crow	<b>ITEM 7</b> – Results of the Dog Off Leash Area Trial
3	Ms Christine Ma	<b>ITEM 7</b> – Results of the Dog Off Leash Area Trial

**MAYORAL MINUTES****MM06/11      COUNTRY COUNCIL PARTNERSHIP – MEETING WITH  
CENTRAL DARLING COUNCILLORS**

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

That Council receive and note the information provided in the General Manager's Report of the meeting held with representatives of Central Darling Shire on 2 June 2011.

**Record of Voting:**

For the Motion: Unanimous

**MM07/11      2011 ASIA PACIFIC SUMMIT 6-8 JULY 2011**

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

That Council note and endorse the attendance of the Mayor at the 2011 Asia Pacific Summit in Brisbane from 6 to 8 July 2011 as a representative of the City of Ryde.

**Record of Voting:**

For the Motion: Unanimous

**COUNCIL REPORTS****1      CONFIRMATION OF MINUTES - Council Meeting held on 24 May 2011**

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

That the Minutes of the Council Meeting 7/11, held on Tuesday 24 May 2011, be confirmed.

**Record of Voting:**

For the Motion: Unanimous

**2      REPORT OF PLANNING AND ENVIRONMENT COMMITTEE - Meeting 7/11  
held on 7 June 2011**

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Petch)

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

**3 DEFERRED REPORT: YAMBLE RESERVE ALL ABILITIES PLAYGROUND**

**RESOLUTION:** (Moved by Councillors Maggio and Petch)

- (a) That the concept plan for the Yamble Reserve all abilities playground be place on public exhibition under the Your City Your Voice Engagement Framework.
- (b) That a subsequent report be provided to Council on the outcomes of the public exhibition process together with the final concept plan for endorsement.

**Record of Voting:**

For the Motion: Unanimous

**4 DEFERRED REPORT: DRAFT PUTNEY PARK PLAN OF MANAGEMENT -  
Permission to place on Public Exhibition**

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

- (a) That the draft Putney Park Plan of Management be placed on Public Exhibition for a period of 28 days.
- (b) That submissions be received for a further 14 days after the completion of the exhibition period.
- (c) That a report be brought back to Council with the results of the public exhibition, recommending further action.

**Record of Voting:**

For the Motion: Unanimous

**5 DEFERRED REPORT: REVIEW OF PART 3.3 DWELLINGS HOUSES AND  
DUAL OCCUPANCY OF DEVELOPMENT CONTROL PLAN 2010**

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

- (a) That a review of *Part 3.3 Dwelling Houses and Dual Occupancy* of City of Ryde's *Development Control Plan 2010* and associated process be undertaken to address the issues raised in this report.
- (b) That a further report be provided to Council once the review process is completed.

**Record of Voting:**

For the Motion: Unanimous

**6 144 WICKS ROAD and 16-18 WATERLOO ROAD MACQUARIE PARK**

**RESOLUTION:** (Moved by Councillors Petch and Maggio)

- (a) That Local Development Application No. 2008/531 at 144 Wicks Road, Macquarie Park being Lot 21 DP 1101233 and Lot 4 DP 1046090 be approved subject to the following deferred commencement condition and the general conditions of consent contained in Attachment 1.

**Part 1 – Deferred Commencement Consent**

This consent shall not operate until the proposal demonstrates satisfactory compliance with the following, to the satisfaction of the Group Manager Environment and Planning.

1. Submission of an amended Voluntary Planning Agreement to include:
  - The additional benefit to the community is to be increased by a further 20% through an appropriate adjustment to the cash contribution.
  - That the applicant is to endeavour to gain pedestrian access from Road 16 to Waterloo Road adjacent to the hockey field.

This information is to be submitted to Council within six months from the date of this notice or the Consent will have lapsed, in accordance with the requirements of Section 65(6) of the Environmental Planning and Assessment Act.

- (b) That conditions 66 and 67 be amended to read as follows:

66. **Landscaping Plan.** A detailed landscape plan for the site and the required area of the public domain is to be submitted which replaces each tree to be removed with a native tree and approved by Council prior to the construction of the development. The landscape plan is to include details of plant selections as well as details of all hard surfaces. The design and documentation of the landscape plan is to be completed by a qualified landscape architect. All of the landscaping is to be compatible with the Council's Macquarie Park Public Domain Technical Manual and Part 4.5 of Development Control Plan 2006. Any trees proposed adjacent to Road 16 should be *Glochidion ferinandii* (Cheese Tree) and *Lophostemon confertus* (Brushbox).

67. **Macquarie Park Public Domain Technical Manual.** All hard landscaping, paving, soft landscaping including species selection, street furniture and the like shall be in accordance with the Macquarie Park Public Domain Technical Manual. Full details, including

samples, schedules and plans are to be submitted and approved by Council prior to the construction of the development.

Where soft landscaping is proposed, including species selection, the applicant must ensure that species health is guaranteed for a minimum of 10 years to ensure the character and appearance of the streetscape is established and maintained. Any species that die within ten years of planting must be replaced by the applicant with a specimen of a similar size and maturity.

**Record of Voting:**

For the Motion: Unanimous

**7 RESULTS OF THE DOG OFF LEASH AREA TRIAL**

Note: Ms Jan Aiello, Ms Jill Crow and Ms Christine Ma addressed the meeting in relation to this item.

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

- (a) That the exercising of dogs off leash is prohibited at the following parks
  - Carara Reserve, West Ryde
  - Waterloo Park, Marsfield
  - Cudal Reserve, Ryde
  - Putney Park, Putney
  - Forrester Park, Eastwood
  - Fontenoy Park, Macquarie Park
- (b) That future budget allocations are provided for enclosed dog off leash areas ELS Hall Park, Denistone Park and Olympic Park. In the intervening time, these parks are to be managed as dog off leash areas.
- (c) That North Ryde Common, Kotara Park and Santa Rosa Park are managed as free running off leash areas and a future budget allocation provided for additional infrastructure.
- (d) That the following sportsgrounds offer opportunities for off leash dog exercising when not used for organised sport:
  - Peel Park, Gladesville
  - Brush Farm Park, Eastwood
  - Darvall Park, Denistone
  - Pidding Park, Ryde
- (e) That the community is notified of Council's decision and all parks under the Trial are signposted in accordance with Council decision.
- (f) That Council continue to consult with the community with a view to increasing the number of dog off leash areas.

- (g) That Council continue its ongoing education of dog owners on their responsibilities.
- (h) That Ms Fiona Morrison, Open Space Planner be congratulated for her contribution with this project.

**Record of Voting:**

For the Motion: Unanimous

**8 FOUR YEAR DELIVERY PLAN 2011-2015 INCLUDING ONE YEAR OPERATIONAL PLAN 2011/2012**

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

- (a) That Council note the public submissions received during the public exhibition period.
- (b) That in accordance with Sections 404 & 405 of the Local Government Act (1993), the Draft Four Year Delivery Plan 2011-2015 including One Year Operational Plan 2011/2012 be adopted as the Four Year Delivery Plan 2011-2015 including One Year Operational Plan 2011/2012, incorporating the amendments described in this report, and all changes consequential thereunto.
- (c) That, in accordance with Sections 534 and 535 of the Local Government Act, 1993, Council make the following rates and charges for every parcel of rateable land within the City of Ryde for the year commencing 1 July 2011 as detailed in the Four Year Delivery Plan 2011-2015 including One Year Operational Plan 2011/2012.
  - (i) A Residential Ordinary Rate of zero point one two nine two nine seven eight (0.1292978) cents in the dollar levied on the land value of all rateable land within the City of Ryde categorised as residential in accordance with Section 516 of the Local Government Act, 1993 subject to a minimum amount of four hundred and forty one dollars and eighty three cents (\$441.83).
  - (ii) A Business Ordinary Rate of zero point six six one three one eight three (0.6613183) cents in the dollar levied on the land value of all rateable land within the City of Ryde categorised as business in accordance with Section 518 of the Local Government Act, 1993, (excepting land sub-categorised as Business – centre of Activity 1 (CoA1) subject to a minimum amount of four hundred and forty one dollars and eighty three cents (\$441.83).
  - (iii) A Business Centre of Activity 1 Ordinary Rate of one point zero six eight three eight eight one (1.0683881) cents in the dollar levied on the land value of all rateable land within the City of Ryde sub-categorised as Business Centre of Activity 1 (CoA1) in accordance with Section 529(2)(d).

- (iv) An Environmental Management Rate of zero point zero two zero seven eight eight six (0.0207886) cents in the dollar be levied on the value of all rateable land within the City of Ryde subject to a base amount of fifty two dollars and fifteen cents (\$52.15), which will levy thirty five point nine three percent (35.93%) of the total amount raised within this rate.
- (v) A Macquarie Park Corridor Special Rate of zero point one two eight nine four four five (0.1289445) cents in the dollar be levied on the land value of all rateable land categorised as business in accordance with Sections 518 or 529(2)(d) and included in the Macquarie Park Corridor, as identified by the map contained in the Four Year Delivery Plan 2011-2015 including One Year Operational Plan 2011/2012.
- (vi) That aggregation of parcels of land, subject to a minimum or base amount, be permitted in accordance with Section 548A of the Local Government Act 1993.
- (d) That, in accordance with Section 496 (1) of the Local Government Act 1993, the charge for the Domestic Waste Management Service for each rateable residential property be set at three hundred and forty one dollars (\$341.00) per service per annum and the following additional services be provided, on request, to each rateable residential property, for the following annual charges:
- |   |       |
|---|-------|
| (i) Upgrade from 140 litre to 240 litre service | \$249 |
| (ii) Additional 140 litre Garbage bin           | \$259 |
| (iii) Additional 240 litre Garbage bin          | \$509 |
| (iv) Additional Recycle bin                     | \$ 41 |
| (v) Additional Green bin                        | \$ 41 |
- (e) That, in accordance with Section 496 (2) of the Local Government Act 1993 the standard charge for the Domestic Waste Management service provided, on request, to non-rateable properties be set at three hundred and forty one dollars (\$341.00) per service per annum and the following additional services be provided, on request, to each non-rateable property, for the following annual charges:
- |   |       |
|---|-------|
| (i) Upgrade from 140 litre to 240 litre service | \$249 |
| (ii) Additional 140 litre Garbage bin           | \$259 |
| (iii) Additional 240 litre Garbage bin          | \$509 |

- |      |                        |       |
|------|------------------------|-------|
| (iv) | Additional Recycle bin | \$ 41 |
| (v)  | Additional Green bin   | \$ 41 |
- (f) That in accordance with Section 496A of the Local Government Act 1993, the Stormwater Management Service Charge be levied at the following rates:
- |       |                                      |  |
|-------|--------------------------------------|--|
| (i)   | Strata titled residential home units | \$12.50 per unit                       |
| (ii)  | Other residential property           | \$25.00 per rateable property          |
| (iii) | Business rateable properties         | \$25.00 per 350 sq metres of land area |
| (iv)  | Business rateable Strata Properties  | \$12.50 per unit                       |
- (g) That, in accordance with Section 611 of the Local Government Act 1993, the following annual charges be made:
- (i) the use of Council land for the vehicle overbridge situated in Herring Road be charged in accordance with the legal agreement between the City of Ryde and the owners of Macquarie Shopping Centre (anticipated income is \$67,375 including GST for 2011/2012).
- (ii) the use of Council land for the Shell Oil company pipeline in the City of Ryde be charged in accordance with the pricing formula agreed with the Company, (anticipated income is \$59,065 including GST for 2011/2012).
- (iii) the use of Council land for AGL Gas Mains in the City of Ryde be charged at a rate based on an annual review by KPMG of AGL's revenue (anticipated income is \$53,865 including GST for 2011/2012).
- (h) That the rate of interest payable in respect of rates and charges that remain unpaid after they become due and payable be set at nine percent (9%) per annum, subject to confirmation of the amount allowable by the Minister.
- (i) That Council provides free access to the Ryde Aquatic Leisure Centre to all pensioners and health card holders upon the production of an appropriate concession card and proof of residency in the City of Ryde and that a report be provided to Council in twelve (12) months time as part of the 2012/2013 Operational Plan, detailing the usage and financial impact of this concession.



- (j) That the Schedule of Fees and Charges, annexed to the Draft Four Year Delivery Plan 2011-2015 including One Year Operational Plan 2011/2012 as amended in terms of this report, be adopted as Council's Fees and Charges for 2011/2012.
- (k) That Council note the information provided in respect of a rate discount scheme and no further action be taken.

**Record of Voting:**

For the Motion: Unanimous

**9 REPORT ON OUTSTANDING RESOLUTIONS**

**RESOLUTION:** (Moved by Councillors Petch and Maggio)

That the report on Outstanding Resolutions be endorsed.

**Record of Voting:**

For the Motion: Unanimous

**PRECIS OF CORRESPONDENCE FOR CONSIDERATION**

**1 DEFERRED PRECIS OF CORRESPONDENCE: CITY OF RYDE WINNING AN AWARD IN THE 2011 NATIONAL AWARDS FOR LOCAL GOVERNMENT IN THE CATEGORY OF WOMEN IN LOCAL GOVERNMENT**

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

That the correspondence be received and that Councillor O'Donnell, Councillor Campbell and the staff be congratulated for their contribution in relation to this Award.

**Record of Voting:**

For the Motion: Unanimous

**2 PRECIS OF CORRESPONDENCE: NEW SOUTH WALES GOVERNMENT'S INDUSTRIAL RELATIONS AMENDMENT (PUBLIC SECTOR CONDITIONS OF EMPLOYMENT) BILL**

Note: Councillor Campbell left the meeting at 9.22pm and was not present for voting on this item.

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

That the correspondence be received.

**Record of Voting:**

For the Motion: Unanimous

Note: Councillor Campbell returned to the meeting at 9.25pm.

**NOTICES OF MOTION**

**1 DEFERRED NOTICE OF MOTION: BOARDING HOUSES / SOCIAL HOUSING - Councillor Bill Pickering**

**MOTION:** (Moved by Councillors Petch and Maggio)

That the Notice of Motion below be deferred to the next Council Meeting to be held on 28 June 2011:

*That the City of Ryde Council immediately engage with the local community to obtain their involvement in establishing a planning framework suitable to our community related to boarding houses and social housing. This framework should reflect elements of 'character' of existing dwellings, and the suitability/controls on boarding/social housing developments in low-density R2 zones, high density zones and industrial/commercial areas.*

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

That the Notice of Motion be dealt with.

On being put to the Meeting, the voting on the Amendment was five (5) all. The Mayor used his casting vote Against the Amendment. The Amendment was **LOST**.

**Record of Voting:**

For the Amendment: Councillors Campbell, Li, O'Donnell, Salvestro-Martin and Tagg

Against the Amendment: The Mayor, Councillor Etmekdjian, Councillors Maggio, Perram, Petch and Yedelian OAM.

**MOTION:** (Moved by Councillors Petch and Maggio)

That the Notice of Motion below be deferred to the next Council Meeting to be held on 28 June 2011:

*That the City of Ryde Council immediately engage with the local community to obtain their involvement in establishing a planning framework suitable to our community related to boarding houses and social housing. This framework*

*should reflect elements of 'character' of existing dwellings, and the suitability/controls on boarding/social housing developments in low-density R2 zones, high density zones and industrial/commercial areas.*

The Motion was put and **CARRIED**, there being six (6) votes For and four (4) votes Against.

**Record of Voting:**

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

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

**RESOLUTION:** (Moved by Councillors Petch and Maggio)

That the Notice of Motion below be deferred to the next Council Meeting to be held on 28 June 2011:

*That the City of Ryde Council immediately engage with the local community to obtain their involvement in establishing a planning framework suitable to our community related to boarding houses and social housing. This framework should reflect elements of 'character' of existing dwellings, and the suitability/controls on boarding/social housing developments in low-density R2 zones, high density zones and industrial/commercial areas.*

**Record of Voting:**

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

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

**2 DEFERRED NOTICE OF MOTION: TIDY SUBURBS IN RYDE CAMPAIGN - Councillor Justin Li**

**RESOLUTION:** (Moved by Councillors Li and Petch)

The General Manager prepares a report to Council recommending initiatives to encourage and reinforce acceptable standards on maintenance of front yards, nature strips, and public areas in order to promote the health, safety and well being of all residents in Ryde. The report is to include information on resources required by staff to effectively implement this campaign.

**Record of Voting:**

For the Motion: Unanimous

### **3 EXCELLENCE IN BUILDING AWARDS - Councillor Ivan Petch**

**MOTION:** (Moved by Councillors Petch and Tagg)

That Council book a table at the Annual NSW Chapter Dinner and Professional Excellence in Building Awards Dinner at Doltone House, Darling Island Wharf on 15 July 2011 for the City of Ryde planning staff with any surplus seats offered to Councillors.

The Motion was put and **LOST**, there being four (4) votes For and six (6) votes Against.

**Record of Voting:**

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

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

### **NOTICES OF RESCISSION**

There were no Notices of Rescission.

### **QUESTIONS BY COUNCILLORS AS PER POLICY**

#### **1 DEFERRED: QUESTIONS WITH NOTICE - Councillor Bill Pickering**

**RESOLUTION:** (Moved by Councillors Campbell and Maggio)

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

**Record of Voting:**

For the Motion: Unanimous

#### **SPORTS LIGHTING**

Question 1: **Why has the City of Ryde failed to deliver on the program on lighting for our sports fields as per the resolution of Council more than two-and-half years ago?**

Answer 1: • August 2009 to lodgement of DA in December 2009:

- i. Project Brief signed for three (3) locations selected for the lighting programme; Meadowbank Netball Courts; Pidding Park and Blenheim Park.
- ii. Scope was drafted
- iii. Consultant briefs and request for quotations prepared for Statement of Environmental Effects.

- a. Lighting designs,
  - b. Geotechnical sampling and assessment
  - c. Estimate of cost
  - d. Acoustic Assessment
  - e. Traffic Impact Assessment
  - f. Environmental assessments
- iv. Report written to lodge DA
- November, 2009:
  - i. Resident notification of intention of CoR to lodge DA's
- December, 2009:
  - i. DA lodged for Meadowbank Netball Courts
  - ii. DA lodged for Pidding Park
  - iii. DA for Blenheim Park not lodged as Sydney Radio Controlled Car Club (SRCCC) did not provide an adequate lighting design and information to satisfy DA (final information received April, 2010)
- January, 2010:
  - i. Resident notification of the receipt of DA's
- February, 2010:
  - i. Meadowbank; meeting with Group Manager Environment & Planning to discuss issues raised by objectors. Resulting in an updated acoustic report being prepared and to include measurement of noise from an actual match at the courts, traffic matters referred to Local Traffic Committee, assessment required whether a 7 Part Test (Flora and Fauna) required. These reports were received in April 2010.
- April, 2010:
  - i. Blenheim Park; received final lighting design and other information to complete the Statement of Environmental Effects for DA submission. This information has held up lodgement of DA since December, 2009.
  - ii. Updated acoustic report (Meadowbank) received as well as an ecological assessment
- May, 2010:
  - i. DA lodged for Blenheim Park
  - ii. Meadowbank; amended ecological assessment received. Meeting with Group Manager Environment & Planning, Environmental, Health Officer and Consultant Town Planner to discuss amended acoustic report.
- June, 2010:
  - i. Meadowbank; meeting with Group Manager Environment &

- Planning, Group Manager Public Works, Environmental Health Officer, Acoustic consultant, (ERNA), and Consultant Town Planner and Council's Project Manager Landscape to discuss the finding of Council's Noise Survey.
- ii. DA approval granted for Pidding Park - Meadowbank held-up due to resident concerns and re-notification.
- July, 2010;
    - i. Pidding Park; preparation of briefs for designers to prepare plans and specifications for Tender / Construction
    - ii. Pidding Park; decision to programme the completion of the installation of lighting prior to the commencement of the 2011 soccer season
    - iii. Pidding Park; to include design briefs for electrical works and footings with the (soon to be approved) Meadowbank and Blenheim Park projects.
    - iv. Meadowbank; notification of amended acoustic report, ecological assessment sent to residents
  - September, 2010:
    - i. DA approved for Blenheim Park
    - ii. DA approved for Meadowbank Netball Courts
    - iii. Resident notification of DA approvals.
  - October/November, 2010
    - i. Preparation of Tender documents for all three locations completed.
    - ii. Structural designs for light pole footings at Meadowbank and Pidding Park far exceeded initial estimates as ground conditions required the footing designs to be far more extensive than first expected. Consequently this caused the cost of Meadowbank and Pidding Park to increase by \$100,000 and \$50,000 respectively.
    - iii. Due to \$100k shortfall- 'decision made to investigate other options to reduce construction costs. President of ERNA informed of footings issue and knew about shortfall.
    - iv. All three projects put on-hold until funding contributions can be confirmed as the Council Resolution stated the exact amount of contributions from each stakeholder (co-contributor). The higher estimated costs caused concern about the ability to meet Council's 40% contribution as well as Council's ability to complete any of the projects in a timely manner with the current funding.
  - December, 2010
    - i. Brief prepared for designer to review documentation for Meadowbank and Pidding Parks and (recently included) Magdala Park with a view to cost savings. Specifically if other designs could be incorporated that didn't need a large footing.
    - ii. Some options available are to raise heights and reduce pole

nos. and in some instances reduce lighting amenity. Any changes to existing DA approvals will require s96, consultation or new DA (option not supported by Group Manager, Environment and Planning) based upon the information received by the designer.

- February, 2011:
  - i. designer engaged to review lighting design documentation and processes for tendering for Meadowbank, Pidding Park and Magdala Park. Option to include footing design as Tender component to 'test the market'
- March, 2011:
  - i. Quotations received for Blenheim Park construction
  - ii. Prepare brief to engage designer for the assessment of other fields (Waterloo, Morrison, Bill Mitchell and Bremner) to ensure ground conditions aren't inherent.
- May, 2011:
  - i. Construction commences at Blenheim Park (completion 8th June)
  - ii. Prepare Tender documents for Meadowbank Park and Pidding Park.
  - iii. Engage designer for Waterloo, Morrison, Bill Mitchell and Bremner Parks
- June, 2011:
  - i. Invite Tenders for Meadowbank and Pidding Parks. Proposed Tender period is from 14 June to 5 July, 2011.

**Question 2: How much of the \$1million set aside for the lighting program has been spent to date? How many installations are complete?**

**Answer 2:** To date \$234,441 has been spent and one installation, Blenheim Park, is due to be finalised and commissioned this week.

**Question 3: How much of the \$1million is it projected will be spent by the conclusion of this four-year term of Council?**

**Answer 3:** At the conclusion of the 4 year term in September 2012, \$810,441 will have been spent. At the end of the 2012 financial year, \$1,072,941 will have been spent.

**Question 4: Why are sporting organisations that have raised their own contributions towards the lighting of sports fields complaining about the delays and lack of action by Council in having lighting installed?**

**Answer 4:** A program (as circulated) has now been developed and technical difficulties have been rectified. Agreement with groups on the

contributions still has to be finalised to be able to proceed with the projects as outlined in the program. For example:

- Meadowbank Netball Courts - cost of installation not able to be calculated until all consultant designs were completed. Current construction estimate is \$380,000 mainly due to increase in structural footing requirements. The current contribution of \$80,000 has been based upon 40% original \$200,000 construction estimate. An increase in contribution has still not been confirmed.
- Pidding Park – the stakeholder has placed some conditions on the usage of the field and funding assistance (from council) before it will confirm its contribution.

**Question 5: What action does the General Manager intend to take to rectify this situation?**

**Answer 5:** The situation is now in hand and the delivery of sports lighting as set out in the program will progress.

#### **RATE PAYMENTS**

**Question 1: What actions have been taken in relation to an assessment of a possible discounted up-front payment of the total rate bill by ratepayers, as requested some months ago?**

**Answer 1:** This matter has been researched by staff and is included in the report to Council on 14 June 2011 for Council's consideration of the 4 Year Delivery Plan.

The matter had been reported to Council on 22 March 2011 following the Councillor Budget Workshop on 22 February 2011 as part of the Report on the 2011/2012 Fees and Charges.

It had been intended for the item to be reported to Council on the Draft 4 Year Delivery Plan on 12 April 2011, however, this item was overlooked in the finalisation of the Draft Delivery Plan and the report to Council. It was decided to incorporate in the report back to Council on 14 June 2011 for Council to consider this matter in conjunction with the Draft Delivery Plan. Finance staff have subsequently;

- Undertaken an analysis of our rate payments over the last 2 years.
- Undertaken analysis of options on indicative levels of discount that could be offered.



- Confirmed no NSW Councils offer rate discounts however, a small number of Councils offer prizes such as holidays for full payment by the first instalment.

**Question 2: Why has this not been reported back to Council, given the new rates period for 2011/12 is about to commence?**

**Answer 2:** As detailed in response to Question 1, the report on 14 June 2011 will provide the details of the analysis for Council's consideration.

Council will be able to consider this matter of a rate discount at the meeting and if necessary, implement Council's decision in conjunction with the 2011/2012 Rate Notice issue.

## **CLOSED SESSION**

### **ITEM 10 - INTERNAL AUDIT FUNCTION - Summary of activities to 31 December 2010**

#### **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: (f) details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

### **ITEM 11 - 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 12 - 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 13 - 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.

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Maggio)

That Council resolve into Closed Session to consider the above matters; Items 10, 11, 12 and 13.

**Record of Voting:**

For the Motion: Unanimous

Note: The Council closed the meeting at 10.16pm. The public and media left the chamber.

**10 INTERNAL AUDIT FUNCTION - Summary of activities to 31 December 2010**

**RESOLUTION:** (Moved by Councillors Tagg and O'Donnell)

That the report "Internal Audit Function – Summary of activities to 31 December 2010" be received.

**Record of Voting:**

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

Against the Motion: Councillor Maggio

**ORDER OF BUSINESS**

**RESOLUTION:** (Moved by Councillors Petch and Yedelian OAM)

That Council consider items 11, 12 and 13 in conjunction, the time being 10.20pm.

**Record of Voting:**

For the Motion: Unanimous

**11 DEFERRED REPORT: ADVICE ON COURT ACTIONS****12 DEFERRED REPORT: ADVICE ON COURT ACTIONS****13 ADVICE ON COURT ACTIONS**

**RESOLUTION:** (Moved by Councillors Petch and Yedelian OAM)

That the reports of the General Counsel be received and Council endorse the agreed actions as discussed in Closed Session.

**Record of Voting:**

For the Motion: Unanimous

**OPEN SESSION**

**RESOLUTION:** (Moved by Councillors Petch and Tagg)

That Council resolve itself into open Council.

**Record of Voting:**

For the Motion: Unanimous

Note: Open Council resumed at 10.45pm.

**RESOLUTION:** (Moved by Councillors Petch and Tagg)

That 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

**PUBLIC PARTICIPATION ON ITEMS NOT LISTED ON THE AGENDA**

No addresses were made to Council.

**NATIONAL ANTHEM**

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

The meeting closed at 10.50pm.

CONFIRMED THIS 28TH DAY OF JUNE 2011

Chairperson