

## Council Meeting

MINUTES OF MEETING NO. 20/11

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**Meeting Date:** Tuesday 22 November 2011  
**Location:** Council Chambers, Level 6  
**Time:** 7.30pm

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

Councillor Petch arrived at 7.49pm and was not present for Suspension of Standing Orders and the Presentation.

**Apologies:** Nil.

**Staff Present:** General Manager, Group Manager – Community Life, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, General Counsel, Manager – Urban Planning, Manager – Customer Service, Manager – Assessment, Chief Financial Officer, Centre Manager – Ryde Aquatic Leisure Centre, Team Leader – Assessment, Manager – Governance and Media & Community Relations Officer.

### **LEAVE OF ABSENCE**

Councillor Petch requested a Leave of Absence for the period Wednesday, 23 November 2011 until Friday, 16 December 2011.

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

That Councillor Petch's Leave of Absence for the period from Wednesday, 23 November 2011 until Friday, 16 December 2011 be approved.

### **Record of Voting**

For the Motion: Unanimous

### **PRAYER**

Associate Pastor Ben Rodgers of Ryde Baptist Church was present and offered prayer prior to the commencement of the meeting.

## **DISCLOSURES OF INTEREST**

Councillor Campbell disclosed a less than significant non-pecuniary interest in Item 9 of Council Meeting 20/11 – Installation of a Cogeneration Plant at the Ryde Aquatic Leisure Centre for the reason that she is an employee of the Office of Environment and Heritage.

Councillor Petch disclosed a less than significant non-pecuniary interest in Item 11 – Deferred Report: Potential Development Partnership Arrangements for Coulter Street Car Park for the reason that he is an honorary life member of Gladesville RSL Club.

Councillor Maggio disclosed a less than significant non-pecuniary interest in Notice of Motion 1 of Council Meeting 20/11 – Participation of Local Scout and Guides Groups at City of Ryde Citizenship Ceremonies for the reason that his children are members of the guiding movement.

## **SUSPENSION OF STANDING ORDERS**

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

That Standing Orders be suspended to allow a presentation of Artworks from the City of Ryde Art Show. The time being 7.36pm.

### **Record of Voting**

For the Motion: Unanimous

## **PRESENTATION OF ARTWORKS FROM THE CITY OF RYDE ART SHOW**

Mr Martin Watson presented his artwork titled “We built this City” to the Mayor, Councillor Etmekdjian. The artwork was purchased on behalf of Council at the City of Ryde Art Show held on 14 October 2011.

Mrs Jeanette Watson presented her artwork titled “Eastwood Park” to the Mayor, Councillor Etmekdjian. Mrs Watson donated her artwork to Council.

## **RESUMPTION OF STANDING ORDERS**

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

That Standing Orders be resumed, the time being 7.45pm.

### **Record of Voting:**

For the Motion: Unanimous

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

Note: Councillor Petch arrived at 7.49pm during Public Participation on Items Listed on the Agenda.

**PUBLIC PARTICIPATION – EXTENSION OF TIME TO SPEAK**

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

That Council allow Mr Plumb the opportunity to speak for a total of 12 minutes, allowing three minutes on each Item as listed. The time being 7.53pm.

**Record of Voting:**

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

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

The following persons addressed the Council:-

<b>Name</b>	<b>Topic</b>
Ms Denise Pendleton (representing herself and Residents for Ryde)	<b>ITEM 19</b> – Creation of a City of Ryde Property Trust
Mr Phil Peake	<b>NOTICE OF MOTION 2</b> – Shortfall of Open Space in Parts of North Ryde
Mr Noel Plumb (representing the Ryde Environment Group and Ryde Community Alliance)	<b>MAYORAL MINUTE 15/11</b> – Cudal Reserve Putney and Smalls Road Ryde <b>NOTICE OF MOTION 2</b> – Shortfall of Open Space in Parts of North Ryde <b>ITEM 11</b> – Deferred Report: Potential Development Partnership Arrangement for Coulter Street Car Park <b>ITEM 19</b> – Creation of a City of Ryde Property Trust
Mr Kevin Page	<b>ITEM 19</b> – Creation of a City of Ryde Property Trust
Ms Rosemary Hadaway	<b>MAYORAL MINUTE 15/11</b> – Cudal Reserve Putney and Smalls Road Ryde

**SUSPENSION OF STANDING ORDERS – PUBLIC PARTICIPATION**

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

That Standing Orders be suspended to allow those speakers listed to speak on Items not on the Agenda to address the meeting, the time being 8.21pm.

**Record of Voting:**

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

Against the Motion: Councillor O'Donnell

The following persons then addressed the Council:-

<b>Name</b>	<b>Topic</b>
Ms Diane Erickson	Proposed Development on Civic Centre Site
Mr John Farinelli	No Towers for Ryde in Civic Centre at 24 Levels

**ORDER OF BUSINESS**

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

That due to the extensive Agenda before Council, that Council suspend Standing Orders and adjust the agenda to give priority to the following issues, Notices of Motion and Mayoral Minutes where there is public participation:

- Mayoral Minute 15/11.
- Mayoral Minute 16/11.
- Notice of Motion 1 – Participation of Local Scout and Guides Groups at City of Ryde Citizenship Ceremonies.
- Notice of Motion 2 – Shortfall of Open Space in Parts of North Ryde.
- Notice of Motion 3 – Official Meetings with a State Minister or Member.
- Item 11 – Deferred Report: Potential Development Partnership Arrangement for Coulter Street Car Park; and
- Item 19: Creation of a City of Ryde Property Trust.

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

**Record of Voting:**

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

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

## **MAYORAL MINUTES**

### **MM15/11 CUDAL RESERVE PUTNEY AND SMALLS ROAD RYDE – The Mayor, Councillor Artin Etmekdjian**

Note: Mr Noel Plumb (representing the Ryde Environment Group and Ryde Community Alliance) and Ms Rosemary Hadaway addressed the meeting in relation to this Item.

**MOTION:** (Moved by The Mayor, Councillor Etmekdjian and Councillor Pickering)

- (a) That the Mayor and General Manager pursue meetings with the relevant State Government Ministers with the purpose of:
- (1) ensuring that both sites remain in public ownership;
  - (2) ensuring that the zoning of both sites reflects public ownership;
  - (3) obtaining the dedication of Cudal Reserve as a park under the care, control and management of the City of Ryde in perpetuity at no cost to Council;
  - (4) obtaining the dedication of the ovals within the former school site at Smalls Road as a park under the care, control and management of the City of Ryde in perpetuity at no cost to Council.
- (b) That this matter be reported back to Council.

**AMENDMENT:** (Moved by Councillor Salvestro-Martin and Tagg)

That the Mayor and General Manager pursue meetings with the relevant State Government Ministers with the purpose of:

- (1) ensuring that both sites remain in public ownership;
- (2) ensuring that the zoning of both sites reflects public ownership;
- (3) obtaining the dedication of Cudal Reserve as a park under the care, control and management of the City of Ryde in perpetuity at no cost to Council;
- (4) obtaining transfer of the portions of Porters Creek not currently under Council ownership to Council;
- (5) maintaining Bundarra Reserve, the site previously occupied by Tennis World and the balance of the M2 land in public ownership.

On being put to the meeting, 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 Motion: Councillors Li, Perram, Petch, Salvestro-Martin and Tagg

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

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

- (a) That the Mayor and General Manager pursue meetings with the relevant State Government Ministers with the purpose of:
- (1) ensuring that both sites remain in public ownership;
  - (2) ensuring that the zoning of both sites reflects public ownership;
  - (3) obtaining the dedication of Cudal Reserve as a park under the care, control and management of the City of Ryde in perpetuity at no cost to Council;
  - (4) obtaining the dedication of the ovals within the former school site at Smalls Road as a park under the care, control and management of the City of Ryde in perpetuity at no cost to Council.
- (b) That this matter be reported back to Council.

**Record of Voting:**

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

Against the Motion: Councillor Salvestro-Martin.

**MM16/11 CIVIC PRECINCT PROGRAM, PROCUREMENT, BUDGET AND FINANCIAL POSITION UPDATE – The Mayor, Councillor Artin Etmekdjian**

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

That Council amend Part 2 of the resolution from the report titled Civic Precinct Program, Procurement, Budget and Financial Position Update at its meeting held on 18 October 2011 by removing two words being “private” and “public”.

**Record of Voting:**

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

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

## **COUNCIL REPORTS**

### **1 CONFIRMATION OF MINUTES - Council Meeting held on 8 November 2011**

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

That the Minutes of the Council Meeting 19/11, held on Tuesday 8 November 2011, be confirmed.

#### **Record of Voting:**

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

Against the Motion: Councillor Tagg

### **2 REPORT OF PLANNING AND ENVIRONMENT COMMITTEE MEETING 15/11 held on 15 November 2011**

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

That Council determine Items 2 and 3 of the Planning and Environment Committee report, noting that Items 1 and 4 were dealt with by the Committee within its delegated powers.

#### **Record of Voting**

For the Motion: Unanimous

### **2 252 QUARRY ROAD, RYDE. LOT 2 DP 701738. Local Development Application for demolition and erection of an attached dual occupancy. LDA 2010/439**

Note: Further information relating to this Item was tabled and a copy is ON FILE.

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

That this matter be deferred to allow the Group Manager, Environment and Planning to undertake mediation to address the issues of overshadowing, privacy and unacceptable non compliances and that a further report be provided to Council following the conduct of this mediation.

#### **Record of Voting**

For the Motion: Unanimous

**3 18 FIFTH AVENUE, DENISTONE. LOT 5 DP 12367. Local Development Application for a new deck at rear of dwelling. LDA2011/0327**

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

- (a) That Local Development Application No. 2011/0327 at No. 18 Fifth Avenue, Denistone being LOT 5 DP 12367 be approved as a deferred commencement to limit that size of the deck to a maximum of 68m<sup>2</sup> with the applicant to submit amended plans to Council to the satisfaction of the Group Manager – Environment and Planning and the adjoining neighbour who objected to the proposal and subject to the general conditions as listed below:-

**GENERAL**

1. The approved deck is to be erected in accordance with the following stamped approved plans:

Drawing Reference	Drawing No.	Date
Site Analysis Plan	11.14-DA01	June 2011
Ground Floor Plan	11.14-DA02	June 2011
Deck Floor Plan	11.14-DA03	June 2011
Section and Rear Elevation	11.14-DA04	June 2011
Side Elevations	11.14-DA05	June 2011

2. The brushwood privacy screen is not approved. An alternative privacy screen must be provided similar to timber lattice screening with 50% transparency. Details of the alternative screen are to be provided **prior to the issue of a Construction Certificate**.
3. The proposed 'cut outs' are to be left in the deck to allow for the affected trees to protrude through the deck without obstruction.
4. The applicant must provide some additional privacy planting in the form of 5 Blueberry Ash (*Elaeocarpus Reticulatus*) planted at a distance of 2.5m from the base of the trees to supplement the screening of the existing Camellia at the eastern common boundary. Details are to be provided **prior to the issue of a Construction Certificate**.
5. All new building works are required to be carried out in accordance with the provisions of the Building Code of Australia.
6. Compliance with the Building Code of Australia
- a) All building work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date of the application for the relevant construction certificate or complying development certificate was made)



- b) This clause does not apply to the extent to which an exemption is in force under clause 187 or 188, in the Environmental Planning and Assessment Regulations 2000, subject to any terms of any condition or requirement referred to in Clause 187(6) or 188(4).
7. **Design and Construction Standards.** All engineering plans and work shall be carried out in accordance with the requirements as outlined within Council's publication *Environmental Standards Development Criteria 1999 and City of Ryde Development Control Plan 2010 Section 8* except as amended by other conditions.
8. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
9. **Restoration.** Public areas must be maintained in a safe condition at all times. Restoration of disturbed road and footway areas for the purpose of connection to public utilities will be carried out by Council following submission of a permit application and payment of appropriate fees. Repairs of damage to any public stormwater drainage facility will be carried out by Council following receipt of payment. Restoration of any disused gutter crossings will be carried out by Council following receipt of the relevant payment.
10. **Site cover.** To prevent the risk of increasing soil instability downslope of the building from the concentration of collected stormwater no roof shall be constructed over the deck without the consent of Council.
11. Certification of the existing part constructed deck framing and footings is to be provided by a Structural Engineer Details of the alternative screen are to be provided prior to the issue of a Construction Certificate.

#### **PRIOR TO CONSTRUCTION CERTIFICATE**

12. Prior to commencing any construction works, the following provisions of the Environmental Planning and Assessment Amendment Act, 1997 are to be complied with:
- a) A Construction Certificate is to be obtained in accordance with Section 81A (2)(a) of the Act.
  - b) A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A (2)(b) of the Act and Form 7 of Schedule 1 to the Regulations.
  - c) Council is to be notified at least two (2) days prior to the intention to commence building works, in accordance with Section 81A (2)(c) of the Act and Form 7 of Schedule 1 to the Regulations.

13. The applicant may apply to the Council or an accredited certifier for the issuing of a Construction Certificate and to Council or an accredited certifier to monitor compliance with the approval and issue any relevant documentary evidence or certificate/s. Council Officers can provide these services and further information can be obtained from Council by telephoning 9952 8222 (Customer Service).
14. A security deposit (*category: other building with no delivery of bricks or concrete or machine excavation*) is to be paid to Council (Public Works and Services Group) as well as the Infrastructure Restoration and Administration Fee. Please refer to Council's Management Plan for the current fee amounts.
15. An **Enforcement levy** is to be paid to Council on lodgement of the **Construction Certificate** application in accordance with the requirements of Council's Management Plan (scheduled fees).
16. Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be received prior to the issuing of the **Construction Certificate**.
17. Documentary evidence of compliance with Conditions 14 to 16 to the satisfaction of Council or an accredited certifier is to be submitted to the Council prior to the issuing of the **Construction Certificate**.
18. The applicant is advised that the **Construction Certificate** plans and specifications must comply with the provisions of the Building Code of Australia.

#### **PRIOR TO OCCUPATION CERTIFICATE**

19. An **Occupation Certificate** must be obtained from the Principal Certifying Authority (PCA) and a copy furnished to Council in accordance with Clause 151 of the Environmental Planning and Assessment Regulation 2000 prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.

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

#### **Record of Voting**

For the Motion: Unanimous

**3 REPORT OF WORKS AND COMMUNITY COMMITTEE MEETING 17/11 held on 15 November 2011**

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

That Council determine Items 2 and 5 of the Works and Community Committee report, noting that Items 1, 3 and 4 were dealt with by the Committee within its delegated powers.

**Record of Voting:**

For the Motion: Unanimous

**2 PUBLIC TOILET BLOCK FEASIBILITY AT FIVE WAYS AND REVIEW OF SIGNAGE REQUIREMENTS**

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

- (a) That signage based on the international symbol to improve access to toilet facilities in the town and neighbourhood centres be approved at the following locations:
- Trim Place, Gladesville – two signs.
  - Cox's Road North Ryde, adjacent to the North Ryde library – two signs.
  - Rowe Street (east), Eastwood – one sign.
  - Meadowbank at Memorial Park and near the entry statement to Shepherd's Bay - two signs.
- (b) That a new toilet unit and appropriate signage at Rotary Park, Eastwood be considered for inclusion in the 4 Year Delivery Program under Toilet Block Renewal (excluding sports fields).
- (c) That existing toilet signs that do not include international symbols be replaced in a rolling program with a priority for shopping centres.

**Record of Voting**

For the Motion: Unanimous

**5 DEEBLE STREET – Negotiations on Leasing Landscaped Area**

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

- (a) That Council proceed with the statutory public notification of the proposed lease to the residents of Tennyson Point as required by the Roads Act for lease of public road.
- (b) That the matter be referred back to Council on receipt of submissions.

**Record of Voting:**

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

Against the Motion: Councillors Campbell, Maggio, O'Donnell, Salvestro-Martin and Yedelian OAM

**4 SEPTEMBER 2011 QUARTERLY REVIEW REPORT - 2011/2015 DELIVERY PLAN AND 2011/2012 OPERATIONAL PLAN**

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

- (a) That the report of the Chief Financial Officer, dated 2 November 2011 on SEPTEMBER 2011 QUARTERLY REVIEW REPORT - 2011/2015 DELIVERY PLAN AND 2011/2012 OPERATIONAL PLAN be received and endorsed.
- (b) That the proposed budget adjustments included in this report totalling \$0.13 million be endorsed and included in the 2011/2012 Budget.
- (c) That the proposed transfers to and from Reserves as detailed in the report, and included as budget adjustments, totalling a net decrease in Reserves of \$1.971 million be endorsed.
- (d) That the Certificate of the Responsible Accounting Officer attached to the report of the Chief Financial Officer dated 2 November 2011 be endorsed.

**Record of Voting**

For the Motion: Unanimous

**5 INVESTMENT REPORT - October 2011**

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

That the report of the Chief Financial Officer, dated 3 November 2011 on INVESTMENT REPORT – October 2011, be endorsed.

**Record of Voting**

For the Motion: Unanimous

## **6 RESULTS OF COMMUNITY CONSULTATION REGARDING PARKING DEVELOPMENT CONTROL PLAN (DCP)**

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

That Council adopt the Ryde Development Control Plan Part 9.3 Parking as amended in accordance with submissions received during the public exhibition and an advertisement be placed in the local press to bring the plan into effect.

### **Record of Voting:**

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

Against the Motion: Councillor Li

## **7 2012 LOCAL GOVERNMENT ELECTION**

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

- (a) That Council, for the reasons stated in the report, appoint the NSW Electoral Commission at an estimated cost of \$460,000 to administer its elections until the conclusion of the 2012 ordinary elections.
- (b) That the General Manager request the Electoral Commission to provide a fixed quotation for the elections together with a plan that addresses all aspects of the 2012 election by 31 March 2012.
- (c) That Council confirm it will not undertake a Constitutional Referendum in respect of any issue, in conjunction with the 2012 ordinary election.

### **Record of Voting:**

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

Against the Motion: Councillor Yedelian OAM

## **8 FUNDING OPTIONS FOR THE SURF ATTRACTION AT THE RYDE AQUATIC LEISURE CENTRE**

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

- (a) That Council fund the Surf Attraction equipment at the Ryde Aquatic Leisure Centre through a tender for an external loan of \$1.2 million.

- (b) That Council borrows funds of \$2.3 million internally from the Ryde Aquatic Leisure Centre Reserve for the additional works for the area, including the other structures as an internal loan, at 0.5% less than the applicable variable commercial rate for loans of that amount, with the interest being paid to the Ryde Aquatic Leisure Centre Reserve.
- (c) That Council repay both loans concurrently and the repayments be amortised over a seven (7) year period.

**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

**9 INSTALLATION OF A COGENERATION PLANT AT THE RYDE AQUATIC LEISURE CENTRE**

Note: Councillor Campbell declared a less than significant, non-pecuniary interest in this Item for the reason that she is an employee of the Office of Environment and Heritage.

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

That Council call for tenders for the supply and installation of a 400kW gas cogeneration plant at the Ryde Aquatic Leisure Centre.

**Record of Voting**

For the Motion: Unanimous

**10 ANNUAL TENDERS - Preferred Contractors for the Provision of Minor Works and Services**

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

- (a) That the report of the Manager Tenders & Contracts, dated 28 October 2011 on Annual Tenders – Preferred Contractors for the Provision of Minor Works and Services be accepted.
- (b) That the tenders for Provision of Minor Works up until 30 November 2012 from the following tenderers be accepted in an “as required” basis for the indicated Contract item numbers:

**Category A: Preferred Contractors (in numerical order)**

<b>Tenderer Ref No.</b>	<b>Tenderer</b>
1	ITS Trenchless
2	Sydney Brick Paving Company
3	Anzelltti Constructions P/L
4	Australian Urban Tree Services
5	Sydney Metro Tree Services
6	Active Tree Services
7	Pro-cut Concrete Pty Ltd
8	MasterCut Concrete Aust Pty Ltd
9	Get Civil Pty LTd
10	SouthWest kerbing
12	Advanced Arbor Service P/L
13	All About Pipes
14	Ally Civil
15	Atlantis Group of Companies Pty Ltd
16	C W Concrete Pty Ltd
17	Citywide
18	CJ Murphy Tree Recycling
19	Complete Concrete Cutting
20	Complete Linemarking Services Pty Ltd
21	Devcon
23	Interflow
26	Kelbon Concrete& Paving
27	AJ Paving
28	KK Civil Engineering
30	Mansour Paving Aust Pty Ltd (file corrupted)
31	Workforce Road Services Pty Ltd
32	NRS (National Road Sealing)
33	North Shore Paving Co Pty Ltd
34	Online Concrete Cutting Services Pty Ltd
35	Ozpave
36	Performance Concrete Pty Ltd
37	Plateau Tree Service
38	Saferoads P/L
39	Sam The Paving Man
40	Superharmonious Pty Ltd
42	Sydney Metro Tree Services
43	Synergy Civil and Construction Pty Ltd
44	The Australian Grinding Company Pty Ltd
45	Total Drain Cleaning
46	Veolia Water Network Services
48	All Concrete SLD P/L
49	Durkin Construction P/L



**Category B: Non Competitive of Non-conforming Tenderers**

<b>Tenderer Ref No.</b>	<b>Tenderer</b>
11	Ripa Concrete Cutting
22	GHB Contracting
24	JG Cobblestone Pty Ltd
25	Jet Civil Pty Ltd
29	Kodi Civil
41	SuperSealing
47	Stateline Asphalt

- (c) That the Preferred Contractors be advised that work will be allocated to them on as on “as required” basis, following consideration at the time of the following factors: type of work, price, availability, previous workmanship, relevant expertise, previous service provided to the residents and previous compliance to safety requirements.
- (d) That the Preferred Contractors provide details of the required insurance (i.e. Public Liability and Workers Compensation), and other conforming documents for approval within fourteen (14) days from the date of acceptance of the Tender.
- (e) That the Category A and B Tenderers be advised of the Council’s decision.

**Record of Voting:**

For the Motion: Unanimous

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

Note: Mr Noel Plumb (representing the Ryde Environment Group and Ryde Community Alliance) addressed the meeting in relation to this Item.

Note: Councillor Petch declared a less than significant, non-pecuniary interest in this Item for the reason that he is an honorary Life Member of the Gladesville RSL Club.

**RESOLUTION:** (Moved by Councillors O’Donnell and Pickering)

- (a) That Council accept the offer Gladesville RSL have provided as outlined in the ATTACHED letter dated 19 September 2011 and enter into an initial six Month Exclusivity Agreement with Gladesville RSL to jointly explore the highest and best uses of the combined site which meets the objectives set out in the DCP for the benefit of the community and Club’s members.



- (b) On completion of the highest and best use study a full report be brought to Council for its consideration.

**Record of Voting:**

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

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

**12 RYDE PLANNING AND BUSINESS CENTRE**

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

That Council acknowledges the high levels of customer satisfaction with the operations of the Ryde Planning and Business Centre and continues its operations accordingly.

**Record of Voting**

For the Motion: Unanimous

**13 PERSONAL MOBILITY DEVICES - Transportation Solution**

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

- (a) That Council endorse the promotion of personal mobility devices (PMDs), as a viable transportation solution within the City of Ryde and urban areas within Australia.
- (b) That Council seek changes to Federal and State laws by petitioning all Governments and other parties.
- (c) That Council make representation to local State and Federal Members seeking their support of personal mobility devices (PMDs), as a viable transportation solution within the City of Ryde and urban areas within Australia.
- (d) That a communications plan be developed to support personal mobility devices (PMDs), as a viable transportation solution within the City of Ryde and urban areas within Australia.
- (e) That the Group Manager, Public Works be commended for his efforts in this matter.

**Record of Voting**

For the Motion: Unanimous

## **COMPLETION OF BUSINESS**

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

That the meeting time be extended to 11.30pm to allow Council to complete the business on the Agenda, the time being 10.59pm.

### **Record of Voting:**

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

Against the Motion: Councillor Maggio

## **14 FLOOD MODELLING FEES & CHARGES**

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

- (a) That the fee for the purchase of Council's DRAINS model in the amount of \$2,200 be publicly exhibited for a period of not less than 56 days.
- (b) That the fee for the purchase of Council's TUFlow model in the amount of \$4,950 be publicly exhibited for a period of not less than 56 days.
- (c) That a further report be presented to Council for consideration after the advertising period addressing any submissions made.

### **Record of Voting**

For the Motion: Unanimous

## **15 SHAFTSBURY ROAD AND GLEN STREET, EASTWOOD - Proposed Roundabout (Black Spot Remediation Site - UPDATE)**

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

- (a) That Council approve the current alternative design proposal for community consultation.
- (b) That the results of the community consultation be tabled at Council.

### **Record of Voting**

For the Motion: Unanimous

**16 ADVISORY COMMITTEES - Proposed review and timetable**

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

- (a) That Council endorse the proposed structure of the review of Council Advisory Committees.
- (b) That a Councillor Workshop on the structure of Advisory Committees be conducted on 7 February 2012 at 7.30pm.

**Record of Voting**

For the Motion: Unanimous

**17 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES FOR THE MAYOR AND OTHER COUNCILLORS POLICY**

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

- (a) That Council adopt the Payment of Expenses and Provision of Facilities for the Mayor and Other Councillors Policy, as placed on public exhibition; subject to the removal of "business class air travel" from part 2 of clause 9 – General travel and accommodation arrangements.
- (b) That a copy of the Payment and Expenses and Provision of Facilities for the Mayor and Other Councillors Policy and a copy of the public notice of exhibition be submitted to the Division of Local Government, in accordance with the Local Government Act, 1993.

**Record of Voting**

For the Motion: Unanimous

**18 FEE ADJUSTMENT - FURTHER REPORT (Part 4A Certificates)**

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

That the fee for the lodgement of Part 4A Certificates in the amount of \$36 be adopted and included in Council's Fees and Charges for 2011/12.

**Record of Voting**

For the Motion: Unanimous

**19 CREATION OF A CITY OF RYDE PROPERTY TRUST**

Note: Ms Denise Pendleton (representing herself and Residents for Ryde), Mr Noel Plumb (representing the Ryde Environment Group and Ryde Community Alliance) and Mr Kevin Page addressed the meeting in relation to this Item.

**MOTION:** (Moved by Councillors O'Donnell and Pickering)

That Council receive and note this Report.

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

**Record of Voting:**

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

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

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

That no further action be taken in relation to this matter.

**Record of Voting:**

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

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

Note: A Rescission Motion signed by Councillors Pickering, Campbell and Maggio was lodged after the meeting in relation to this Item and will be considered at the Council meeting to be held on 13 December 2011.

## **COMPLETION OF BUSINESS**

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

That the meeting time be extended by a further 15 minutes to allow Council to complete the business on the Agenda, the time being 11.32pm.

**Record of Voting:**

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

Against the Motion: Councillor O'Donnell

## **20 REPORT ON OUTSTANDING RESOLUTIONS**

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

That the report on Outstanding Resolutions be endorsed.

### **Record of Voting**

For the Motion: Unanimous

## **PRECIS OF CORRESPONDENCE FOR CONSIDERATION**

There were no Precis of Correspondence for Consideration.

## **NOTICES OF MOTION**

### **1 PARTICIPATION OF LOCAL SCOUT AND GUIDES GROUPS AT CITY OF RYDE CITIZENSHIP CEREMONIES - Councillor Roy Maggio**

Note: Councillor Maggio disclosed a less than significant non-pecuniary interest in this Item for the reason that his children are members of the guiding movement.

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

That the General Manager prepare a report to Council:-

- (a) On how the format for the City of Ryde Citizenship Ceremonies could be changed to incorporate the Local Scout groups and Guides participation in these ceremonies.
- (b) To investigate with the local Primary and High School Principals to develop a concept for school bands to perform with the Ryde City Band at the Citizenship Ceremony.

### **Record of Voting**

For the Motion: Unanimous

### **2 SHORTFALL OF OPEN SPACE IN PARTS OF NORTH RYDE - Councillor Roy Maggio**

Note: Mr Phil Peake and Mr Noel Plumb (representing the Ryde Environment Group and Ryde Community Alliance) addressed the meeting in relation to this Item.

Note: Councillor Salvestro-Martin left the meeting at 11.47pm and was not present for voting on this Item.

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

- (a) That in accordance with the draft IOSP which identifies a shortfall of open space in parts of North Ryde, Council facilitate a meeting with the Transport Coordination Authority development team to request that as part of the developers contribution through either Section 94 or a VPA, to provide in the identified areas for open space to include sportsgrounds and/or multi use sports facility (including the possibility of synthetic surfaces) to benefit the community of Ryde.
- (b) That the meeting include all key stakeholders, such as Ryde City Hockey Club with the outcomes being reported to Council.

**Record of Voting**

For the Motion: Unanimous

Note: Councillors Salvestro-Martin returned to the meeting at 11.49pm.

**COMPLETION OF BUSINESS**

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

That the meeting time be extended to allow completion of all remaining items on the Agenda. The time being 11.49pm.

**Record of Voting:**

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

Against the Motion: Councillor O'Donnell

**3 OFFICIAL MEETINGS WITH A STATE MINISTER OR MEMBER - Councillor Terry Perram**

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

- (a) That, except in emergencies or where delegated, the Mayor obtain the endorsement of Council before attending any official meeting with a State Minister or member at which Council business will be discussed;
- (b) That Council staff accompany the Mayor at any such meeting where endorsement is given;
- (c) That a report of the meeting be presented to Councillors through the Councillors' Information Bulletin and if appropriate, through the Council business papers;

- (d) That the report include all matters raised, any advice or commitments given by either side and any other relevant information to ensure that Council remains fully informed.
- (e) That any recently held meetings with State Ministers or members be reported to Councillors through the Councillors' Information Bulletin, including all matters raised, any advice or commitments given by either side and any other relevant information.

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

- (a) That Council staff accompany the Mayor at any meeting with a State Minister or member at which Council business will be discussed;
- (b) That a report of the meeting be presented to Councillors through the Councillors' Information Bulletin and if appropriate, through the Council business papers;
- (c) That the report include all matters raised, any advice or commitments given by either side and any other relevant information to ensure that Council remains fully informed.

The Amendment was put and **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 Li, Perram, Petch, Salvestro-Martin and Tagg

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

- (a) That Council staff accompany the Mayor at any meeting with a State Minister or member at which Council business will be discussed;
- (b) That a report of the meeting be presented to Councillors through the Councillors' Information Bulletin and if appropriate, through the Council business papers;
- (c) That the report include all matters raised, any advice or commitments given by either side and any other relevant information to ensure that Council remains fully informed.

**Record of Voting:**

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

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

### **NOTICES OF RESCISSION**

There were no Notices of Rescission.

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

There were no Questions by Councillors as per Policy.

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

Ms Diane Erickson and Mr John Farinelli addressed the meeting in relation to Items not Listed on the Agenda earlier in the Meeting as detailed in these Minutes.

### **CLOSED SESSION**

#### **ITEM 21 - REQUEST FOR PROPOSALS - FOR THE LICENSING, INSTALLATION AND MANAGEMENT OF SIGNAGE ADVERTISING SPACE ON SOUTHERN PEDESTRIAN FOOTBRIDGE ACROSS DEVLIN STREET, TOP RYDE NSW - COR-RFP - 01/11**

##### **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 22 - 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 Pickering and Campbell)

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

**Record of Voting**

For the Motion: Unanimous

Note: The Council closed the meeting at 12.01am on Wednesday, 23 November 2011. The public and media left the chamber.

**21 REQUEST FOR PROPOSALS - FOR THE LICENSING, INSTALLATION AND MANAGEMENT OF SIGNAGE ADVERTISING SPACE ON SOUTHERN PEDESTRIAN FOOTBRIDGE ACROSS DEVLIN STREET, TOP RYDE NSW - COR- RFP - 01/11**

**RECOMMENDATION:** (Moved by Councillors O'Donnell and Pickering)

- (a) That Council accepts the proposal submitted by OOH! MEDIA for the licensing, installation and management of the pedestrian footbridge signage site and enters into a 10 year agreement as specified in the Request for Proposal.
- (b) That the General Manager be delegated authority to negotiate final terms and enter into a contract with the OOH! MEDIA on the terms contained within the proposal and for amendments to be made to the contract documents as required.
- (c) That all unsuccessful respondents be notified of Council's decision in this matter.

**Record of Voting**

For the Motion: Unanimous

**22 ADVICE ON COURT ACTIONS**

**RECOMMENDATION:** (Moved by Councillors Campbell and Pickering)

That the report of the General Counsel be received.

**Record of Voting**

For the Motion: Unanimous

**OPEN SESSION**

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

That Council resolve itself into open Council.

**Record of Voting**

For the Motion: Unanimous

Note: Open Council resumed at 12.06am on Wednesday, 23 November 2011.

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

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 12.08am on Wednesday, 23 November 2011

CONFIRMED THIS 13TH DAY OF DECEMBER 2011

Chairperson