

## Council Meeting

MINUTES OF MEETING NO. 9/11

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**Meeting Date:** Tuesday 28 June 2011  
**Location:** Council Chambers, Level 6  
**Time:** 7.30pm

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

**Apologies:** Apologies were received and accepted from Councillors Li and Salvestro-Martin.

**Staff Present:** Acting General Manager, Group Manager - Corporate Services, Group Manager – Environment & Planning, Group Manager - Public Works, General Counsel, Manager – Strategy and Organisation Development, Chief Financial Officer, Manager – Governance, Media & Community Relations Officer and Meeting Support Coordinator.

### **PRAYER**

Pastor Dr Keith Ng of the Evangel Bible Church, Putney was present and offered prayer prior to the commencement of the meeting.

### **DISCLOSURES OF INTEREST**

There were no disclosures of interest.

### **PRESENTATION OF THE WOMEN IN LOCAL GOVERNMENT AWARD FROM THE 2011 NATIONAL AWARDS FOR LOCAL GOVERNMENT**

The Mayor, Councillor Etmekdjian presented the Acting General Manager, Simone Schwarz with the Women in Local Government Award from the 2011 National Awards for Local Government.

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

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

That any persons wishing to speak concerning Item 5(6) regarding the Shaftsbury Road and Glen Street, Eastwood – Proposed Roundabout from the Works and Community Agenda dated 21 June 2011 be granted the permission to speak.

### **Record of Voting:**

For the Motion: Unanimous

The following persons addressed Council:-

No.	Name	Topic
1	Dr Moses Lui	<b>Item 5(6)</b> – SHAFTSBURY ROAD and GLEN STREET, EASTWOOD – Proposed Roundabout (Black Spot Remediation Site – UPDATE)
2	Mr Aaron Currie	<b>Item 5(6)</b> – SHAFTSBURY ROAD and GLEN STREET, EASTWOOD – Proposed Roundabout (Black Spot Remediation Site – UPDATE)

### **SUSPENSION OF STANDING ORDERS**

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

That Standing Orders be suspended to allow consideration of a Matter of Urgency relating to Pedestrian Safety Issues around Betts Street, West Ryde, the time being 7.51pm.

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

For the Motion: Unanimous

### **MATTER OF URGENCY – PEDESTRIAN SAFETY ISSUES AROUND BETTS STREET, WEST RYDE**

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

As a matter of urgency, Council initiate immediate action to improve pedestrian safety associated with the West Ryde construction works – such measures to include (but not be limited to): installation of temporary lighting to improve pedestrian visibility, particularly in new Betts Street; and urgent representations to the State Member for Ryde for assistance in pursuing RTA agreement for one or more temporary pedestrian crossings to be operational until permanent pedestrian facilities are in place.

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

For the Motion: Unanimous

### **RESUMPTION OF STANDING ORDERS**

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

That Standing Orders be resumed, the time being 8.06pm.

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

For the Motion: Unanimous

**MAYORAL MINUTES**

There were no Mayoral Minutes.

**COUNCIL REPORTS****1 CONFIRMATION OF MINUTES - Council Meeting held on 14 June 2011**

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

That the Minutes of the Council Meeting 8/11, held on Tuesday 14 June 2011, be confirmed.

**Record of Voting:**

For the Motion: Unanimous

**2 REPORT OF PLANNING AND ENVIRONMENT COMMITTEE - Meeting 8/11 held on 21 June 2011**

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

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

**Record of Voting:**

For the Motion: Unanimous

**3 5 KOORONG STREET, MARSFIELD. LOT 3 DP 236727. Local Development Application for demolition and erection of a new boarding house containing 14 single bedrooms. LDA2011/142.**

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

(a) That Local Development Application No. 2011/142 for demolition and the erection of a 2 storey boarding house containing 14 single occupant rooms at 5 Koorong Street, Marsfield, be refused for the following reasons:

1. The proposed design of the boarding house is out of character with the local area and does not satisfy CI 30A of the AHSEPP.
2. The proposed boarding house provides insufficient and inadequate parking facilities and does not satisfy CI 29(2)(e)(i) of the AHSEPP or Part 9.3 – Car Parking of DCP 2010.
3. The layout and design of the proposed boarding house is likely to result in unacceptable amenity impacts to both adjoining residents and to boarders.

4. Insufficient information in relation to drainage and stormwater disposal, compliance with the amended AHSEPP, garbage and waste provision, drainage, access for people with disabilities and adaptable housing has been provided.

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

**Record of Voting:**

For the Motion: The Mayor, Councillor Etmekdjian, Councillors Butterworth, Maggio, Perram, Petch, Pickering, Tagg and Yedelian OAM

Against the Motion: Councillors Campbell and O'Donnell

**3 REPORT OF WORKS AND COMMUNITY COMMITTEE MEETING 9/11 held on 21 June 2011**

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

That Council determine Items 3, 4, 5(6) and 5(9) of the Works and Community Committee report, noting that Items 1, 2, 5(1), 5(2), 5(3), 5(4), 5(5), 5(7) and 5(8) were dealt with by the Committee within its delegated powers.

**Record of Voting:**

For the Motion: Unanimous

**3 DEEBLE STREET – Progress Report on Leasing Landscaped Area**

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

That this matter be deferred to enable Council staff to progress further negotiations with the owners of 70a Champion Road and for this matter to be reported back to Council as soon as possible.

**Record of Voting:**

For the Motion: Unanimous

**4 CONSIDERATION OF HERITAGE ISSUES – Public Works**

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

That no action be taken in relation to this item.

**Record of Voting:**

For the Motion: Unanimous

**5 TRAFFIC & PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 26 May 2011****6. SHAFTSBURY ROAD and GLEN STREET, EASTWOOD – Proposed Roundabout (Black Spot Remediation Site – UPDATE).**

Note: Dr Moses Lui and Mr Aaron Currie addressed the meeting in relation to this item.

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

That consideration of this matter be deferred for a detailed report back to Council outlining the history of this intersection, why this intersection came before Traffic Committee as a Black Spot Remediation Site, what other solutions are possible and what other locations would be suitable to utilise this funding in the City of Ryde for a roundabout.

**Record of Voting:**

For the Motion: Unanimous

**ORDER OF BUSINESS**

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

That Council consider Notice of Motion 4 regarding the Temporary Car Park in Anthony Road, West Ryde in conjunction with item 5(9) regarding West Ryde Town Centre – Parking Management Options Paper (Version 3) from the Works and Community Committee Meeting Agenda dated 21 June 2011, the time being 9.45pm.

**Record of Voting:**

For the Motion: Unanimous

**3 REPORT OF WORKS AND COMMUNITY COMMITTEE MEETING 9/11 held on 21 June 2011**

**5 TRAFFIC & PARKING MATTERS PRESENTED TO RYDE LOCAL TRAFFIC COMMITTEE MEETING held on 26 May 2011**

**9. WEST RYDE TOWN CENTRE – Parking Management Options Paper (Version 3).**

**Notice of Motion 4 - TEMPORARY CAR PARK IN ANTHONY ROAD, WEST RYDE - Councillor Terry Perram**

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

That this matter be deferred for a review of the temporary car park arrangements and its operating hours, with a view to relaxing restrictions during daylight hours.

**Record of Voting:**

For the Motion: Unanimous

**4 RYDE 2021 - COMMUNITY STRATEGIC PLAN**

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

That Council adopt the Ryde 2021 - Community Strategic Plan with the proposed changes as detailed in the report.

**Record of Voting:**

For the Motion: Unanimous

**5 INVESTMENT REPORT – May 2011 and INVESTMENT ADVISORY SERVICES TENDER**

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

That this matter be deferred for consideration by Council in Closed Session to consider the Confidential Tender Evaluation Report in respect of Investment Advisory Services.

**Record of Voting:**

For the Motion: Unanimous

Note: This Item was considered by Council later in the Meeting under Confidential Items in Closed Session as detailed in these Minutes.

**PRECIS OF CORRESPONDENCE FOR CONSIDERATION**

There are no Precis of Correspondence for Consideration.

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

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

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 Petch and Tagg)

That consideration of this matter be deferred until there is a full Council present to determine the matter.

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 Butterworth, Campbell, O'Donnell, Petch and Tagg

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

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

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.

On being put to the Meeting, the voting on the Motion was five (5) all. The Mayor used his casting vote For the Motion. The Motion was **CARRIED**.

**Record of Voting:**

For the Motion: The Mayor, Councillor Etmekdjian, Councillors Maggio, Perram, Pickering and Yedelian OAM.

Against the Motion: Councillors Butterworth, Campbell, O'Donnell, Petch, and Tagg.

Note: A Rescission Motion signed by Councillors Butterworth, Petch and Tagg was lodged after the meeting in relation to this Item and will be considered at the Council Meeting to be held on 26 July 2011.

**2 REQUEST FOR NSROC TO FUND ABORIGINAL EDUCATION - Councillor Roy Maggio**

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

That the City of Ryde obtain a report on Lane Cove Council's support for an educational program for aboriginal students in the NSROC area and investigate how Ryde Council may be involved.

**Record of Voting:**

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

Against the Motion: Councillor Tagg

**3 DEVELOPMENT CONSENT CONDITIONS RELATING TO BICYCLE PARKING - Councillor Terry Perram**

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

That when conditions of development consent are being formulated for developments where bicycle parking is required, consideration be given to the following:

- (a) for locations where there will be frequent casual users (such as shopping centres), including conditions requiring the bicycle parking area to be highly visible and easily accessible, preferably at ground level adjacent to a pedestrian access and under cover;
- (b) for workplace locations where primarily employees will use bicycle parking, including conditions requiring that bicycle parking be secure;
- (c) for any premises, particularly where there will be frequent casual users, including conditions requiring that the development provides for bicycle access separate to vehicle access, for example avoiding the need for bicycles to use a vehicle ramp to an underground car park;



- (d) for any premises fronting a main road or busy road, including conditions requiring the developer to provide safe rideable approach to the bicycle parking area extending at least along the frontages of the development and beyond, if reasonable and feasible, to reach safe cycling routes identified in the Ryde Bicycle Strategy and Masterplan.

**Record of Voting:**

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

Against the Motion: Councillors Butterworth and Tagg

**4 TEMPORARY CAR PARK IN ANTHONY ROAD, WEST RYDE – Councillor Terry Perram**

Note: This Notice of Motion was considered earlier in the Meeting in conjunction with Item 5(9) regarding the West Ryde Town Centre – Parking Management Options Paper (Version 3) from the Works and Community Committee Meeting Agenda dated 21 June 2011.

**5 DEPARTMENT OF HOUSING - PUBLIC HOUSING DEVELOPMENTS IN ALISON ROAD AND CHEERS STREET - Councillor Terry Perram**

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

That Council seek the support of the Member for Ryde to require the Department of Housing to fulfil its commitment to provide a paved footpath connection from recently reconstructed public housing developments in Alison Road and Cheers Street to the nearest bus stop.

**Record of Voting:**

For the Motion: Unanimous

**NOTICES OF RESCISSION**

There were no Notices of Rescission.

**QUESTIONS BY COUNCILLORS AS PER POLICY**

**1 QUESTIONS WITH NOTICE - Councillor Jeff Salvestro-Martin**

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

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

**Record of Voting:**

For the Motion: Unanimous

**WASTE MANAGEMENT**

Question 1: **Apart from weight, what other data does the Identity Disc on Garbage Bins record?**

Answer 1: The RFID (Radio Frequency Identification Device) is an electronic device similar to the serial number on the side of the bin. The RFID does not weigh the bin; it purely registers the bin to a property ID and address into the *Weighmate* system. When the bin is emptied, the antenna (in the hopper of the truck) reads the RFID and logs the time and location that the bin is emptied.

The lift, time and weight are then conveyed via the internet, usually in approximately 15 minutes, to the 'office'. Council has direct access to this information via web-link.

There is a separate mechanism in the arm which records the weight of the bin. This information is also registered in the system against the relevant address.

Question 2: **How does this data assist Council or the Contractor perform the contracted garbage collection service?**

Answer 2: The data received from the Weighmate system, assists Council to manage the waste collection Contract.

Council is also able to:

- Monitor when and where the trucks commence servicing bins.
- Track stolen bins and verify servicing when a resident reports that their bin was missed.
- Check presentation rates, and establish data for educational purposes.
- Check contamination levels in green waste and recycling bins. If found to be contaminated, a picture of the material in the hopper is reconciled to the offending bin. This information is recorded in a database enabling the protocols to be enacted (education prior to enforcement).
- Reduce the requirement for field visits by staff.

Question 3: **As manufacturers are responsible for Product Packaging what initiatives is Council pursuing to motivate Manufacturer's to reduce their packaging and hence waste contribution to the City of Ryde?**

Answer 3: The National Packaging Covenant is an agreement based on principles of shared responsibility through product stewardship between key stakeholders in the packaging supply chain industry and spheres of government.

It was established as a voluntary component of a co-regulatory arrangement for managing the environmental impacts of consumer packaging in Australia.

In addition to the Covenant, the new National Waste Strategy addresses Extended Producer Responsibility in relation to e-waste, tyres and paint. This is being supported by the State Government's *Reducing Waste: Implementation Strategy 2011-2015* which has been developed in consultation with industry, local government and other stakeholders. Its' aim is to coerce the growth of a viable and mature recycling industry within NSW.

Council supports the Extended Producer Responsibility mandate set by the Federal and State Government, however is not able to enforce manufacturers to reduce packaging due to current legislation.

Question 4: **Can Council confirm that it will not levy Ratepayers a weight charge for Garbage, Green Waste or Recycleable Materials waste now or in the future?**

Answer 4: Paying by weight is not a viable proposition at this stage. Council remains committed to the current waste rate structure. Council may be required to consider or implement such an option if current legislative provisions change.

Question 5: **In Europe (and with great success for Waste Management) Manufacturers are responsible for "cradle to grave" management for their product – What initiatives is Council exploring with other Tiers of Government to introduce and impart similar obligations and responsibilities back to Manufacturers.**

Answer 5: As stated above, Council supports both the Federal and State Government initiatives in reducing waste going to landfill and "*closing the loop*," with Industry becoming responsible for the disposal of the end product.

Council has been aware for some time a decision will be made regards to e-waste and possibly other products. To date, this has not occurred.

Council also has a Sustainable Procurement Policy in which our internal protocols further assist with reducing waste or *closing the loop*.

Some Countries in Europe have implemented processes to convert waste to energy. These facilities take residual waste which is then funnelled through a heating process producing carbon and syngas or steam generated electrical power. This technology is soon to be introduced to Australia once the regulatory framework is put into place. It may provide local government with other options for processing residual waste. The economy of scale; especially distance and demographic circumstances, have been proven to be critical to the success of these processes in Europe.

### **CLOSED SESSION**

#### **ITEM 5 – INVESTMENT REPORT – May 2011 and INVESTMENT ADVISORY SERVICES TENDER**

##### **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 a person who supplied it.

#### **ITEM 6 - 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 Petch)

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

**Record of Voting:**

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

Against the Motion: Councillor Yedelian OAM

Note: The Council closed the meeting at 10.45pm. The public and media left the chamber.

**5 INVESTMENT REPORT - May 2011 and INVESTMENT ADVISORY SERVICES TENDER**

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

- (a) That the report of the Chief Financial Officer, dated 6 June 2011 on INVESTMENT REPORT – May 2011, be endorsed.
- (b) That Council declines to accept any of the offers for Investment Advisory Services - COR-RFT-06/11
- (c) That Council Officers negotiate a reduced level of service for Investment Advisory Services that offers the best value for the City of Ryde and for the recommended provider to be reported to Council prior to appointment.

**Record of Voting:**

For the Motion: Unanimous

**6 ADVICE ON COURT ACTIONS**

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

That the report of the General Counsel be received.

**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 11.08pm.

**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 11.10pm.

CONFIRMED THIS 26TH DAY OF JULY 2011

Chairperson